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Bengal Legislative Council

Thirty-first Session, 1929

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GOVERNMENT OF BENGAL.

GOVERNOR OF BENGAL.

His Excellency Colonel the Right Hon'ble Sir FRANCIS STANLEY JACKSON, P.C., G.C.I.E.

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The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, C.I.E., of Dhanbari, in charge of the following portfolios:—

1. Emigration.
2. Immigration.
3. Jurisdiction.
4. Haj Pilgrimage.
5. Forests.
6. Irrigation.
7. Agriculture and Industries (excluding Excise).
8. Registration.

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2. Political, excluding Haj Pilgrimage.
3. Police.
4. Ecclesiastical.
5. Regulation of medical and other professional qualifications and standards, subject to legislation by the Indian Legislature.
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2. Separate Revenue.
3. Commerce and Industrial subjects.
4. Marine.
5. European Education.
6. Education.
7. Excise.
8. Public Works.

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2. Land Acquisition.
3. Excluded Areas.
4. Jails.
5. Legislative.
6. Local Self-Government.

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The Hon'ble Raja MANMATHA NATH RAY CHAUDHURI, of Santosh.

DEPUTY PRESIDENT.

Khan Bahadur Maulvi EMADUDDIN AHMED, B.L.

Panel of Chairmen for the Thirty-first Session.

1. Maharaja SHASHI KANTA ACHARJYA CHAUDHURI, of Muktagacha, Mymensingh.
2. Dr. Sir DEVA PROSAD SARBADHIKARI, KT., C.I.E., C.B.E.
3. Mr. W. L. TRAVERS, C.I.E., O.B.E.
4. Mr. M. ASHRAF ALI KHAN CHAUDHURI.

Secretary to the Council—J. BARTLEY, I.C.S.

Assistant Secretaries to the Council—A. M. HUTCHISON and K. N. MAJUMDAR.

Registrar to the Council—J. W. McKAY.

BENGAL LEGISLATIVE COUNCIL.

ALPHABETICAL LIST OF MEMBERS.

A

Acharjya Chaudhuri, Maharaja Shashi Kanta, of Muktagacha, Mymensingh. (Dacca University.)
Addams-Williams, Mr. C., C.I.E. (Nominated Official)—Since resigned.
Afzal, Maulvi Syed Mahamud. [Bakarganj West (Muhammadan).]
Ahamad, Maulvi Asimuddin. [Tippera South (Muhammadan).]
Ahamad, Maulvi Kasiruddin. [Rangpur West (Muhammadan).]
*Ahmed, Khan Bahadur Maulvi Emaduddin. [Rajshahi South (Muhammadan).]
Ali, Maulvi Syed Nausher. [Jessore South (Muhammadan).]
Ali, Mr. Altaf. [Bogra (Muhammadan).]
Atiqullah, Mr. Syed Muhammad. [Mymensingh East (Muhammadan).]

B

Bagchi, Babu Romes Chandra. [Malda (Non-Muhammadan).]
Baksh, Maulvi Kader, B.L. [Dinajpur (Muhammadan).]
Banerjea, Dr. Pramathanath. [Calcutta East (Non-Muhammadan).]
Banerjee, Babu Promotha Nath. [Midnapore South (Non-Muhammadan).]
Banerjee, Mr. A. C. [Calcutta South Central (Non-Muhammadan).]
Bannerjee, Babu Jitendralal. [Birbhum (Non-Muhammadan).]
Basu, Babu Sasi Sekhar. [24-Parganas Rural South (Non-Muhammadan).]
Basu, Mr. P. C. [Burdwan South (Non-Muhammadan).]
Basu, Mr. Sarat C. [Burdwan North (Non-Muhammadan).]
Biswas, Babu Surendra Nath. [Faridpur South (Non-Muhammadan).]
Blair, Mr. J. R. (Nominated Official.)
Bose, Babu Bejoy Krishna. [Calcutta South (Non-Muhammadan).]
Bose, Mr. S. C. (Calcutta University.)
Bose, Mr. Subhas Chandra. [Calcutta North (Non-Muhammadan).]

C

Cassells, Mr. A. (Nominated Official.)
Chakraburtty, Babu Jatindra Nath. [Rangpur East (Non-Muhammadan).]

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* Deputy President, Bengal Legislative Council.

Chakravarti, Babu Jogindra Chandra. [Dinajpur (Non-Muhammadan).]
Chakravarti, Mr. Byomkes. (Bengal National Chamber of Commerce.)
Chatterjee, Srijut Bijay Kumar. [Bankura West (Non-Muhammadan).]
Chaudhuri, Khan Bahadur Maulvi Hafizar Rahman. (Nominated Non-official.)
Chaudhuri, Maulvi Nurul Huq. [Noakhali East (Muhammadan).]
Chaudhuri, Rai Harendranath. [24-Parganas Rural North (Non-Muhammadan).]
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, C.I.E., of Dhanbari. (Member, Executive Council.)
Choudhury, Maulvi Golam Mawla. [Faridpur South (Muhammadan).]
Choudhury, Maulvi Khorshed Alam. [Bakarganj North (Muhammadan).]
Clark, Mr. I. A. (Indian Mining Association.)
Cohen, Mr. D. J. (Nominated Non-official.)

D

Das Gupta, Dr. J. M. [Calcutta Central (Non-Muhammadan).]
Dash, Mr. A. J. (Nominated Official.)
Datta, Babu Akhil Chandra. [Tippera (Non-Muhammadan).]
Datta, Babu Amulya Chandra. [Hooghly Muncipal (Non-Muhammadan).]
Drummond, Mr. J. G. (Nominated Official.)
Dutt, Babu Saral Kumar. [Bakarganj North (Non-Muhammadan).]

E

Eddis, Mr. A. McD. (Bengal Chamber of Commerce.)

F

Faroqui, Khan Bahadur K. G. M. [Tippera North (Muhammadan).]
Forrester, Mr. J. Campbell. [Presidency and Burdwan (European).]
Fyfe, Mr. J. H. (Bengal Chamber of Commerce.)

G

Ganguly, Babu Khagendra Nath. [Howrah Municipal (Non-Muhammadan).]
Ghose, Babu Amarendra Nath. [Mymensingh West (Non-Muhammadan).]

Ghose, Mr. M. C. (Nominated Official.)
Ghosh Maulik, Mr. Satyendra Chandra. [Noakhali (Non-Muhammadan).]
Ghuznavi, Alhadji Sir Abdelkerim, KT. [Mymensingh South-West (Muhammadan).]
Gilchrist, Mr. R. N. (Nominated Official.)
Goenka, Rai Bahadur Badridas, C.I.E. (Bengal Marwari Association.)
Gofran, Maulvi Abdul. [Noakhali West (Muhammadan).]
Gordon, Mr. A. D. (Indian Tea Association.)
Guha, Mr. P. N. (Nominated Non-official.)
Gupta, Mr. Jogesh Chandra. [Dacca City (Non-Muhammadan).]
Gurner, Mr. C. W. (Nominated Official.)

H

Habibulla, Nawab Khwaja. [Dacca City (Muhammadan).]
Haque, Khan Bahadur Maulvi Azizul. [Nadia (Muhammadan).]
Himatsingska, Babu Prabhu Doyal. [Calcutta West (Non-Muhammadan).]
Hogg, Mr. G. P. (Nominated Official.)
Hopkyns, Mr. W. S., C.I.E., O.B.E. (Nominated Official.)
Hoque, Kazi Emdadul. [Rangpur East (Muhammadan).]
Hosain, Nawab Musharruf, Khan Bahadur. [Malda *cum* Jalpaiguri (Muhammadan).]
Husain, Maulvi Latafat. (Nominated Non-official.)
Husain, Khan Bahadur Maulvi Syed Maqbul. [Chittagong North (Muhammadan).]
Huq, Khan Bahadur Maulvi Ekramul. [Murshidabad (Muhammadan).]
Huq, Mr. A. K. Fazl-ul. [Dacca East Rural (Muhammadan).]

I

Ismail, Khan Bahadur Maulvi Muhammad. [Mymensingh Central (Muhammadan).]

J

Jenkins, Dr. W. A. (Nominated Official)—Since resigned.

K

Karim, Maulvi Abdul. [Burdwan Division South (Muhammadan).]
Kasem, Maulvi Abul. [Burdwan Division North (Muhammadan).]

Khan, Babu Debendra Lal. [Midnapore North (Non-Muhammadan).]
Khan, Khan Sahib Maulvi Muazzam Ali. [Pabna (Muhammadan).]
Khan, Maulvi Tamizuddin. [Faridpur North (Muhammadan).]
Khan, Mr. Razaur Rahman. [Dacca East Rural (Muhammadan).]
Khan Chaudhuri, Mr. M. Ashraf Ali. [Rajshahi North (Muhammadan).]

L

Laird, Mr. R. B. (Bengal Chamber of Commerce.)
Lala, Babu Saroda Kripa. (Chittagong Landholders.)
Lamb, Mr. T. (Indian Jute Mills Association.)

M

Maguire, Mr. L. T. (Anglo-Indian.)
Maiti, Babu Mahendra Nath. [Midnapore South-East (Non-Muhammadan).]
Marr, the Hon'ble Mr. A., C.I.E. (Member, Executive Council.)
Martin, Mr. O. S. (Bengal Chamber of Commerce.)
Mazumdar, Rai Bahadur Jadunath, C.I.E. [Jessore North (Non-Muhammadan).]
McCluskie, Mr. E. T. (Anglo-Indian.)
Mitter, Rai Bahadur Manmatha Nath. (Presidency Landholders.)
Mitter, the Hon'ble Sir Provash Chunder, KT., C.I.E. (Member, Executive Council.)
Moberly, the Hon'ble Mr. A. N., C.I.E. (Member, Executive Council.)
Moitra, Srijut Jogendra Nath. [Bogra *cum* Pabna (Non-Muhammadan).]
Mukerjea, Srijut Taraknath. [Hooghly Rural (Non-Muhammadan).]
Mukerji, Mr. S. C. (Nominated Non-official.)

N

Nandy, Maharaj Kumar Sris Chandra. [Murshidabad (Non-Muhammadan).]
Nasker, Babu Hem Chandra. [24-Parganas Rural Central (Non-Muhammadan).]
Nasimuddin, Mr. Khwaja, C.I.E. [Bakarganj South (Muhammadan).]

O

Ordish, Mr. J. E. [Dacca and Chittagong (European).]
Ormond, Mr. E. C. [Burdwan and Presidency (European).]

P

Pal Choudhuri, Mr. Ranjit. [Nadia (Non-Muhammadan).]
Philip, Mr. J. Y. (Bengal Chamber of Commerce.)
Poddar, Mr. Ananda Mohan. (Bengal Mahajan Sabha.)
Prentice, Mr. W. D. R., C.I.E. (Nominated Official)—Since resigned.

R

Rahim, Sir Abd-ur, K.C.S.I. [Calcutta North (Muhammadan).]
Rahman, Maulvi Azizur. [Mymensingh North-West (Muhammadan).]
Rahman, Maulvi Shamsur. [Khulna (Muhammadan).]
Rahman, Mr. A. F. (Nominated Non-official.)
Rahman, Mr. A. F. M. Abdur. [24-Parganas Rural (Muhammadan).]
Raikat, Mr. Prasanna Deb. [Jalpaiguri (Non-Muhammadan).]
Rauf, Maulvi Syed Abdur. [Jessore North (Muhammadan).]
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Ray, Babu Surendra Nath. [24-Parganas Municipal South (Non-Muhammadan).]
Ray, Dr. Kumud Sankar. [Faridpur North (Non-Muhammadan).]
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Ray, Srijut Radha Gobinda. [Bankura East (Non-Muhammadan).]
Ray Chaudhuri, Mr. K. C. (Nominated Non-official.)
*Ray Chaudhuri, the Hon'ble Raja Manmatha Nath, of Santosh. (Dacca Landholders.)
Rose, Mr. G. F. (Indian Jute Mills Association.)
Roy, Babu Manmatha Nath. [Howrah Rural (Non-Muhammadan).]
Roy, Dr. Bidhan Chandra. [24-Parganas Municipal North (Non-Muhammadan).]
Roy, Mr. Bijoy Prasad Singh. (Nominated Non-official.)
Roy, Mr. D. N., Bar.-at-Law. [Jessore South (Non-Muhammadan).]
Roy, Mr. Kiran Sankar. [Dacca Rural (Non-Muhammadan).]
Roy Choudhuri, Rai Bahadur Satyendra Nath. [Bakarganj South (Non-Muhammadan).]

S

Sanyal, Babu Sachindra Narayan. [Rajshahi (Non-Muhammadan).]
Sarbadhikari, Dr. Sir Deva Prosad, KT., C.I.E., C.B.E. (Nominated Non-official.)
Sarkar, Babu Naliniranjan. [Mymensingh East (Non-Muhammadan).]

* President of the Bengal Legislative Council.

Sarker, Rai Sahib Rebati Mohan. (Nominated Non-official.)
Sattar, Khan Bahadur Abdus. [Chittagong South (Muhammadan).]
Sattar, Mr. Abdool Razak Hajee Abdool. [Hooghly *cum* Howrah Municipal (Muhammadan).]
Sen, Mr. Satish Chandra (Bengal National Chamber of Commerce.)
Sen, Srijut Nagendra Nath. [Khulna (Non-Muhammadan).]
Sen Gupta, Mr. J. M. [Chittagong (Non-Muhammadan).]
Shah, Mr. Gholam Hossain. [24-Parganas Municipal (Muhammadan).]
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur. (Burdwan Landholders.)
Solaiman, Maulvi Muhammad. [Barrackpore Municipal (Muhammadan).]
Stapleton, Mr. H. E. (Nominated Official.)
Suhrawardy, Mr. H. S. [Calcutta South (Muhammadan).]

T

Tate, Major-General Godfrey, M.B., K.H.S., I.M.S. (Nominated Official.)
Thomas, Mr. H. W. (Calcutta Trades Association.)
Thompson, Mr. W. H. (Bengal Chamber of Commerce.)
Travers, Mr. W. L., C.I.E., O.B.E. [Rajshahi (European).]
Twynam, Mr. H. J. (Nominated Official.)

W

Wordsworth, Mr. W. C. [Presidency and Burdwan (European).]

THE BENGAL LEGISLATIVE COUNCIL PROCEEDINGS.

(Official Report of the Thirty-first Session.)

Volume XXXI—No. 3.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Town Hall, Calcutta, on Saturday, the 16th March, 1929, at 10-30 a.m.

Present:

The Hon'ble the President (the Hon'ble Raja MANMATHA NATH RAY CHAUDHURI, of Santosh), in the Chair, the four Hon'ble Members of the Executive Council, and 92 nominated and elected members.

Oath.

The following member made an oath of his allegiance to the Crown:—

Mr. C. ADDAMS-WILLIAMS, C.I.E.

Starred Questions

(to which oral answers were given).

Sub-registry office at Chandina in Tippera.

*63. **Maulvi ASIMUDDIN AHAMAD:** (*a*) Will the Hon'ble Member in charge of the Department of Education (Registration) be pleased to state whether it is a fact that the sub-registry office at Chandina in the district of Tippera is going to be abolished?

(*b*) Is it a fact that a new sub-registry office is going to be established at Galimpur in the police-station Chandina?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Member be pleased to state the reason why Galimpur was selected for the new office?

(*d*) Is the Hon'ble Member aware that Galimpur is situated at the south-east corner of the police-station Chandina and is only half a mile off from Laksam police-station jurisdiction?

(*e*) Is it a fact that the people of Barura Bazar have applied for a sub-registry office?

(*f*) Is it a fact that they were also prepared to hand over a building for the said office?

(*g*) If the answers to (*e*) and (*f*) are in the affirmative, will the Hon'ble Member be pleased to state why Barura Bazar was not selected for the new sub-registry office?

MEMBER in charge of DEPARTMENT of EDUCATION (REGISTRATION) (the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur, of Dhanbari): (*a*) and (*b*) There is no proposal before Government for the abolition of the Chandina Sub-Registry Office in the district of Tippera or for the establishment of a new office at Galimpur.

(*c*) and (*d*) Do not arise.

(*e*) and (*f*) There is no such information before Government.

(*g*) Does not arise.

Constitution of a subdivision at Nawabganj.

***84. Babu ROMES CHANDRA BACCHI:** (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to state whether it is a fact that the Commissioners of the Nawabganj Municipality in the district of Malda by their resolution passed at meetings held on 26th September, 1927 and 29th October, 1927, sent proposals to the Government through the Commissioner, Rajshahi Division, for constituting a subdivision at Nawabganj with jurisdiction over the thanas of Nawabganj, Gomastapur, Nachole and Sibganj of the Malda district together with portions of the thanas of Godagari, Tanar and Niamatpur of the Rajshahi district as specified in the resolutions referred to?

(*b*) Is it a fact that there is an alternative proposal before the Government of constituting a subdivision at Nawabganj with portions of the *diara* area of the district of Murshidabad added to the areas mentioned in the said resolutions?

(*c*) Will the Hon'ble Member be pleased to state whether the Government have considered those proposals?

(*d*) If so, what decision, if any, has been arrived at in the matter?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. A. N. Moberly): (*a*) Government have no information. No such proposals have been received by Government.

(*b*) No.

(*c*) and (*d*) Do not arise.

Jagannath Intermediate College.

*85. **Babu JITENDRALAL BANNERJEE:** (*a*) Will the Hon'ble Member in charge of the Department of Education be pleased to state whether it is a fact that the Jagannath Intermediate College of Dacca receives from Government a monthly aid of Rs. 4,006 only?

(*b*) Will the Hon'ble Member be pleased to state whether there is any other private college in Bengal (intermediate or first grade) which is in receipt of a similar grant-in-aid from the Government?

(*c*) Is it a fact that the College is now being run at a deficit?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Member be pleased to lay on the table a statement showing the amount of deficit each year during the last five years?

(*e*) Has there been a steady reduction in the number of students on the roll of the College during the last five years?

(*f*) What was the strength of the teaching staff and the roll-strength of the College in 1924-25?

(*g*) What are the figures for the present year?

(*h*) Will the Hon'ble Member be pleased to state whether the Government exercise any effective supervision over the expenditure of the College?

(*i*) If so, by what means is such supervision exercised?

MEMBER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. A. Marr): (*a*) Yes.

(*b*) No.

(*c*) Yes, since 1925-26.

(*d*) The amounts of deficit are shown below:—

		Rs.
1925-26	...	1,859
1926-27	...	5,919
1927-28	...	11,988

(*e*) The figures are:—

1923-24	...	863
1924-25	...	871
1925-26	...	800
1926-27	...	617
1927-28	...	541

(*f*) Strength of the teaching staff 44 and roll-strength 871.

(*g*) Strength of the teaching staff 41 and roll-strength 540.

(*h*) Yes.

(*i*) By means of grants-in-aid paid by Government through the Board of Intermediate and Secondary Education, Dacca, by reason of the fact that the Principal of the institution is a Government servant and by means of periodic audit.

Mr. JOGESH CHANDRA GUPTA: With reference to answer to (*e*), will the Hon'ble Member be pleased to state the reason why this steady decrease is taking place?

The Hon'ble Mr. A. MARR: I cannot say, Sir.

Babu JITENDRALAL BANNERJEE: Will the Hon'ble Member be pleased to state whether Government intend making any enquiry?

Mr. PRESIDENT: That is a request for action.

Babu JITENDRALAL BANNERJEE: Sir, I have simply asked, on a matter of fact, whether Government have made any enquiry?

Mr. PRESIDENT: I have already decided that the question is not permissible.

Babu JITENDRALAL BANNERJEE: May I rise on a point of order? My point is, when the President gives any order, may we not ask for a further enlightenment of that order?

Mr. PRESIDENT: Well, I have made it absolutely clear for any member to understand that your question was merely a veiled request for action.

Babu JITENDRALAL BANNERJEE: May I submit on a point of order———.

Mr. PRESIDENT: What is your point of order?

Babu JITENDRALAL BANNERJEE: May I submit before you, Sir, that I intended to give my reasons for supporting the proposition and that I did not ask for any action?

Mr. PRESIDENT: That may be your opinion. In my opinion it was a request for action, and you could not put that question.

Babu JITENDRALAL BANNERJEE: I rise on a point of order, Sir. Am I not justified in submitting———.

Mr. PRESIDENT: That is not a point of order. You are arguing the point.

Jagannath College, Dacca.

*86. **Babu JITENDRALAL BANNERJEE:** (*a*) Will the Hon'ble Member in charge of the Department of Education be pleased to state whether the Government received any representation last year from members of the Governing Body of the Jagannath College praying for the appointment of a committee to inquire into the affairs of the College?

(*b*) If so, what action have the Government taken upon the same?

(*c*) Is it a fact that, on reconstitution of the Governing Body after the receipt of the abovementioned representation, the strength of the Governing Body has been reduced from 13 to 11?

(*d*) Is it a fact that the reduction has been made from the Muhammadan representatives of the Governing Body?

The Hon'ble Mr. A. MARR: (*a*) Yes.

(*b*) Government did not consider it necessary to take any action on it.

(*c*) Yes.

(*d*) The number of Muhammadan representatives on the Governing Body has been reduced by one.

Mr. JOGESH CHANDRA GUPTA: With reference to answer to (*b*), will the Hon'ble Member be pleased to tell the House why was it that no action was thought to be necessary?

The Hon'ble Mr. A. MARR: Government did not consider it necessary to take any action on it.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Member be pleased to state the reason for not taking any action?

The Hon'ble Mr. A. MARR: I want notice of this question.

State scholarships for study outside India.

*87. **Maulvi TAMIZUDDIN KHAN:** (*a*) Will the Hon'ble Member in charge of the Department of Education be pleased to state what provision is made annually by Government for the students of this province for studies outside India?

(*b*) Is it a fact that the present policy of Government is to offer two scholarships yearly for this purpose on the recommendation of the Calcutta University?

(c) If the answer to (b) is in the affirmative, will the Hon'ble Member be pleased to state whether the Calcutta University ever recommended any Muhammadan student for any of these scholarships?

(d) Will the Hon'ble Member be pleased to state on whose recommendation Mr. Kudrati Khuda was the recipient of one such scholarship in the year 1925?

(e) Has the attention of the Hon'ble Member been drawn to the fact that in the year 1927 the Registrar, Calcutta University, invited applications for nomination from 6 candidates, 3 Hindus and 3 Muhammadans, for such scholarships?

(f) Is it a fact that of late the said Registrar invited six applications for such scholarships without any reservation for Muhammadan students?

(g) Will the Hon'ble Member be pleased to state whether there has been any recent change of policy on the part of the Government in this respect?

The Hon'ble Mr. A. MARR: (a) There are the following State scholarships for students of this province for study abroad:—

(1) One scholarship of £300 a year, with the usual war bonus, tenable for 3 years, to be awarded every 3 years preferably to an Indian lady, who wishes to devote her life to educational work, for study abroad.

(2) Two scholarships of £300 a year, each, tenable for 3 years in the United Kingdom with the usual war bonus, to be awarded every other year to the best Hindu and Muhammadan candidates, respectively, from the Universities of Calcutta and Dacca.

(3) One scholarship of £300 a year with the usual war bonus for Indians (male) for the study of Oriental languages, tenable for 3 years in the United Kingdom, to be awarded triennially to Hindu and Moslem candidates.

(4) Two scholarships of the value of £250 a year, each, tenable in the United Kingdom for 2 years to be awarded annually for the special professional training of two selected teachers, one of whom shall be a Moslem.

(b) For the award of the scholarships mentioned in (2) above, nominations are called for from the Universities of Calcutta and Dacca, and Government select after considering the nominations.

(c) No information can be supplied concerning recommendations made to Government.

(*d*) Mr. Kudrati Khuda was selected by Government in 1925, not on the recommendation of any University but on an application submitted by him direct to Government.

(*e*) No.

(*f*) Government do not keep themselves informed of the details of University business.

(*g*) There has been no change of policy on the part of Government in this respect.

Free primary education introduced under Mr. Biss's scheme.

*88. **Srijut TARAKNATH MUKERJEA:** (*a*) Will the Hon'ble Member in charge of the Department of Education be pleased to state the total number of schools in Bengal wherein Mr. Biss's scheme of free primary education has been introduced?

(*b*) How much money has been spent by Government for the said free primary education in 1927-28 and in 1928-29?

The Hon'ble Mr. A. MARR: (*a*) 245.

(*b*) Rs. 79,044-9-1 in 1927-28 and Rs. 57,579-6-7 in 1928-29 (up to December, 1928).

Calcutta Congress Exhibition, 1928, and the question of not sending exhibits from Government Departments.

*89. **Srijut TARAKNATH MUKERJEA:** (*a*) Will the Hon'ble Member in charge of the Department of Local Self-Government (Public Health) be pleased to state whether any exhibit was sent by any department under the Government of Bengal to the Calcutta Congress Exhibition, 1928?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to name those departments?

(*c*) Was there any stall in the said Exhibition to which the Calcutta Improvement Trust sent its exhibits?

(*d*) Was any exhibit sent to the Exhibition by the Bengal Public Health Department?

(*e*) If the answer to (*d*) is in the negative, will the Hon'ble Member be pleased to state why no exhibit was sent by the Public Health Department?

(*f*) Is it a fact that at the request of the Exhibition authorities, the Public Health Department at first agreed to send its exhibits, charts, etc., to the Exhibition and arrangements were made accordingly, but subsequently this decision was altered?

(*g*) If the answer to (*f*) is in the affirmative, will the Hon'ble Member be pleased to state the special reasons why this was so done?

MEMBER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (PUBLIC HEALTH) (the Hon'ble Sir Provash Chunder Mitter): (*a*) No.

(*b*) Does not arise.

(*c*) Yes.

(*d*) No.

(*e*) In view of the present policy of the Indian National Congress, Government consider it undesirable for any Government department or officer to be associated with an exhibition organised under the auspices of the Congress.

(*f*) No.

(*g*) Does not arise.

10-45 a.m.

Mr. KIRAN SANKAR ROY: Will the Hon'ble Member be pleased to state what, according to him, is the present policy of the Indian National Congress?

The Hon'ble Sir PROVASH CHUNDER MITTER: I have nothing to add to the answer already given.

Mr. KIRAN SANKAR ROY: Has the Hon'ble Member any knowledge about the matter?

The Hon'ble Sir PROVASH CHUNDER MITTER: I submit I have nothing to add to my answer.

Mr. JOGESH CHANDRA GUPTA: Is the Hon'ble Member aware that there was a record attendance at the time of the Congress?

The Hon'ble Sir PROVASH CHUNDER MITTER: Possibly, but I have no personal knowledge.

Mr. JOGESH CHANDRA GUPTA: If so, do the Government think that the exhibits that the Government departments had prepared and were intended for public education should be withheld when such a large number of people attend any place?

Mr. PRESIDENT: I do not allow that question; it is a matter of opinion.

Mr. KIRAN SANKAR ROY: May I ask what was the Hon'ble Member referring to when he spoke about the policy of the Indian National Congress?

The Hon'ble Sir PROVASH CHUNDER MITTER: I have nothing to add to the answer in the paper.

Babu JOGINDRA CHANDRA CHAKRAVARTI: May I know whether the policy that the Government propose to pursue applies also to the Provincial and District Conferences where exhibitions are held?

The Hon'ble Sir PROVASH CHUNDER MITTER: The question will be decided when it actually arises.

Mr. JOGESH CHANDRA GUPTA: May I know if the Government are of the opinion that exhibits of the various departments of the Government, for example, Public Health and other departments, should not be exhibited any further where the public congregate?

The Hon'ble Sir PROVASH CHUNDER MITTER: No.

Mr. KIRAN SANKAR ROY: Will the Hon'ble Member be pleased to state whether in his opinion the International Congress which is following the policy of the Indian National Congress should not be given any sanitary advice?

The Hon'ble Sir PROVASH CHUNDER MITTER: I have nothing to add to my answer already given.

Babu Bhupendra Kumar Sarkar, Teacher, Hindu School, Calcutta.

***79. Mr. RANJIT PAL CHOUDHURI:** (*a*) Will the Hon'ble Member in charge of the Department of Education be pleased to state whether it is a fact that Babu Bhupendra Kumar Sarkar, B.A., B.T., a teacher of English in the Hindu School, Calcutta, applied for transfer to Krishnagar, his native place, where a teacher of English was wanted by the Head Master of the Krishnagar Collegiate School?

(*b*) Is it also a fact that on being referred to by the Director of Public Instruction's office through the Inspector of Presidency Division, the Head Master of the Krishnagar Collegiate School, Babu

Jitendra Nath Mukerjee, M.A., objected to the transfer on the grounds that Bhupen Babu was a local man and the brother of Mr. Hemanta Kumar Sarkar, ex-M.L.C., who was a staunch Swarajist?

(*c*) Do the Government take into account such grounds when a teacher's transfer, promotion, etc., are considered?

The Hon'ble Mr. A. MARR: (*a*) Babu Bhupendra Kumar Sarkar, B.A., B.T., applied for a transfer to Krishnagar.

(*b*) No.

(*c*) Does not arise.

Srijut NAGENDRA NATH SEN: Will the Hon'ble Member be pleased to state what was the result of the application of Babu Bhupendra Kumar Sarkar for transfer?

The Hon'ble Mr. A. MARR: I want notice of this question.

Srijut NAGENDRA NATH SEN: Will the Hon'ble Member be pleased to state if there is any likelihood of this application being granted?

The Hon'ble Mr. A. MARR: I cannot say, Sir.

Resolutions of the All-Bengal Registration Employees' Conference.

*71. **Mr. K. C. RAY CHAUDHURI:** (*a*) Has the attention of the Hon'ble Member in charge of the Department of Education (Registration) been drawn to the resolutions passed at the All-Bengal Registration Employees' Conference in its first session held in Calcutta on 31st December, 1928 and 1st January, 1929?

(*b*) If the reply to (*a*) is in the affirmative, will the Hon'ble Member be pleased to lay on the table copies of those resolutions?

(*c*) Will the Hon'ble Member be pleased to state what steps, if any, the Government have taken or propose to take in the matter?

The Hon'ble Mr. A. MARR: (*a*) Yes.

(*b*) and (*c*) The All-Bengal Registration Employees' Conference is the conference of a body which has not been recognised by Government. For this reason, it is not proposed to take any action on the resolutions passed by that Conference.

Mr. JOGESH CHANDRA GUPTA: Is it the policy of Government only to consider resolutions passed by a body which is recognised by Government?

The Hon'ble Mr. A. MARR: It is the usual policy.

Mr. K. C. RAY CHAUDHURI: Will the Hon'ble Member be pleased to say on what condition this recognition is given by Government?

The Hon'ble Mr. A. MARR: There are definite rules laid down by Government for the recognition of these associations of Government servants.

Srijut NAGENDRA NATH SEN: Will the Hon'ble Member be pleased to state whether it is the standing rule of Government not to take any action on resolutions passed by Conferences which are unrecognised by Government?

Mr. PRESIDENT: This question is not necessary; it is covered by the answer already given.

Mr. JOGESH CHANDRA GUPTA: Do the Government consider the resolutions passed by the Civil Service Associations?

The Hon'ble Mr. A. MARR: Yes, if it is recognised by Government.

Mr. JOGESH CHANDRA GUPTA: Is the Civil Service Association which is an employees' association recognised by Government?

The Hon'ble Mr. A. MARR: I do not see how this question arises out of this but, if the hon'ble member wants this information I ask for notice.

Srijut NAGENDRA NATH SEN: Will the Hon'ble Member be pleased to state whether resolutions passed by recognised associations or prayers made by individuals are taken into consideration by Government?

The Hon'ble Mr. A. MARR: Certainly.

Mr. P. C. BASU: What is the basis of such recognition?

Mr. PRESIDENT: That question has already been answered.

Faridpur Charmaguria Railway broad gauge project.

*72. **Dr. KUMUD SANKAR RAY:** (*a*) Will the Hon'ble Member in charge of the Department of Public Works (Railways) be pleased to state what steps have been taken up till now with regard to the proposed Faridpur-Charmaguria Railway line?

(*b*) When is it likely to be completed?

MEMBER in charge of DEPARTMENT of PUBLIC WORKS (RAILWAYS) (the Hon'ble Mr. A. Marr): (*a*) and (*b*) The Faridpur-Charmaguria Railway broad gauge project has been abandoned. The field work in connection with the investigation for a narrow gauge railway from Faridpur to Barisal *via* Charmaguria has been completed, and the whole scheme is under the consideration of the railway authorities.

Srijut NAGENDRA NATH SEN: Will the Hon'ble Member be pleased to state what will be the total length of the line from Calcutta to Barisal?

The Hon'ble Mr. A. MARR: I want notice of this question.

Srijut NAGENDRA NATH SEN: Will the Hon'ble Member be pleased to state whether there was a proposal before Government that Barisal should be connected with Calcutta *via* Basirhat and Baraset?

The Hon'ble Mr. A. MARR: I never heard of such a proposal.

Srijut NAGENDRA NATH SEN: Does the Hon'ble Member know that this is the shortest route between Calcutta and Barisal instead of *via* Charmaguria?

The Hon'ble Mr. A. MARR: I quite believe it, but I have never heard of such a proposal.

Srijut NAGENDRA NATH SEN: Will the Hon'ble Member be pleased to state if Government propose to take any action with regard to the prayers of the people to connect Khulna with Calcutta *via* Basirhat and Baraset?

The Hon'ble Mr. A. MARR: I have not heard of such a prayer from the public as yet.

Expenditure in connection with the visit of the Simon Commission.

*73. **Babu MANMATHA NATH ROY:** Will the Hon'ble Member in charge of the Appointment Department be pleased to state—

(*i*) the expenditure that was incurred during the year 1928; and

(*ii*) the total expenditure that is likely to be incurred

out of the revenues of this Presidency in connection with the visit of the Simon Commission?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Mr. A. N. Moberly): (*i*) The expenditure incurred in 1927 was Rs. 2,566 and in 1928 Rs. 64,017.

(*ii*) It is anticipated that the total expenditure will be about Rs. 1,29,000.

Mr. JOGESH CHANDRA GUPTA: Does this figure of Rs. 64,017 include the expenses of putting corrugated walls for leading the members of the Simon Commission from the Howrah Station?

The Hon'ble Mr. A. N. MOBERLY: As far as I know there were no corrugated walls.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Member take it from me that corrugated sheets were put up?

Mr. PRESIDENT: That is not a question.

Mr. JOGESH CHANDRA GUPTA: Does the figure include the cost of the barbed wire fencing which was put up in order to keep away the public in the streets of Calcutta?

The Hon'ble Mr. A. N. MOBERLY: I fancy that the barbed wires used on occasions of possible rioting in Calcutta are the property of the Calcutta police.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Member be pleased to state whether this figure includes the expenses of any of the social functions held in honour of the Simon Commission?

The Hon'ble Mr. A. N. MOBERLY: No, Sir.

Mr. P. C. BASU: May I know if the Hon'ble Member was present at the Howrah Station on the arrival of the Simon Commission?

The Hon'ble Mr. A. N. MOBERLY: On what date?

Mr. PRESIDENT: That question does not arise and I do not allow it.

Mr. P. C. BASU: But the Hon'ble Member was going to answer my question.

Srijut NAGENDRA NATH SEN: Will the Hon'ble Member be pleased to state if the figure represents the cost incurred in Bengal only?

The Hon'ble Mr. A. N. MOBERLY: Yes:

Bridges over the Circular Canal and Tolly's Nala.

***74. Mr. W. L. TRAVERS:** (*a*) Will the Hon'ble Member in charge of the Department of Irrigation be pleased to state whether his attention has been called to the existing deadlock between the Government of Bengal, the Corporation of Calcutta and the Calcutta Improvement Trust in connection with the apportionment of the cost of reconstruction of certain bridges over the Circular Canal and Tolly's Nala?

(*b*) Is the Hon'ble Member aware that the use of the bridges has had to be severely restricted on account of their condition with the result that serious inconvenience has been occasioned to the public?

(*c*) Is the Hon'ble Member aware that, in particular, the closing of the Chitpur Bridge to heavy traffic is causing great loss and delay to all commerce and industry with interests in the district?

(*d*) Will the Hon'ble Member be pleased to say whether the Government of Bengal are considering the desirability by virtue of any powers they may have, of proceeding forthwith with the reconstruction or repair, or of ordering any municipal or other body so to proceed, leaving the question of the final apportionment of the cost to be determined at a later date?

MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur, of Dhanbari): (*a*), (*b*) and (*c*) Yes.

(*d*) The Maniktala Bridge has been reconstructed and the Beliaghatta Bridge is under reconstruction. The reconstruction of the Narkeldanga Bridge will probably begin in April next.

The reconstruction of the Alipore, Chitpur and Tollyganj bridges is under consideration, but no final decision is possible until the Corporation inform Government definitely whether they will contribute to the cost of providing improved bridges in all these six cases or not.

Srijut NAGENDRA NATH SEN: Will the Hon'ble Member be pleased to state with reference to paragraph (*d*) the length of time during which the reconstruction of the Alipur, Chitpur and Tollyganj bridges is under the consideration of Government?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: Two or three years.

Srijut NAGENDRA NATH SEN: Will the Hon'ble Member be pleased to state if the bridges are in a fit condition?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: No; the bridges are in a very unsafe condition.

Union boards of Tippera, subdivision into wards.

*75. **Maulvi ASIMUDDIN AHAMAD:** (*a*) Is the Hon'ble Member in charge of the Department of Local Self-Government aware—

(*i*) that the areas of the union boards of the Tippera district not being divided into three equal wards, most of the elected members are elected from the one influential quarter or village; and

(*ii*) that the three nominated members are nominated at the suggestion of those elected members from the same part of the union?

(*b*) Is the Hon'ble Member aware that most of the parts of the unions are not represented either by election or by nomination?

(*c*) Are the Government considering the desirability of dividing the areas of the union boards of the Tippera district into three equal wards as soon as possible?

(*d*) If the answer to (*c*) is in the affirmative, are the Government considering the desirability of issuing necessary instruction for the nomination of a member from each such ward in future?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) (*i*) and (*ii*) and (*b*) Government have no information.

(*c*) The division of unions into wards is a matter in which full discretion vests in the District Magistrate, and Government do not propose to interfere. It has, however, been ascertained that most of the unions in Tippera district either have been or will shortly be divided into three wards each for electoral purposes.

(*d*) No.

Kaliaghye flood in Midnapore.

*76. **Babu PROMOTHA NATH BANERJEE:** (*a*) Will the Hon'ble Member in charge of the Department of Irrigation be pleased to state whether adequate measures are being adopted this year for the prevention of Kaliaghye flood in the Midnapore district?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state—

(*i*) whether any scheme has been drawn up; and

(*ii*) whether any fund has been provided for in the next budget?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: (*a*) The usual precautions are being taken this year.

(*b*) (*i*) A scheme has been drawn up for silt clearing the Kaliaghye River which it is proposed to do under Act VI of 1920. Other schemes are under preparation.

(*ii*) No new scheme having fully matured as yet, no special provision has been made in next year's budget.

Babu PROMOTHA NATH BANERJEE: Will the Hon'ble Member be pleased to state if the scheme of silt-clearing will be taken up this year or next year?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: No.

Mr. KIRAN SANKAR ROY: Will the Hon'ble Member be pleased to state to which part of the question his answer of "no" relates?

Mr. PRESIDENT: I think that does not arise as a supplementary question.

Audit accounts of the Jagannath Intermediate College, Dacca.

*77. **Babu JITENDRALAL BANNERJEE:** (*a*) Will the Hon'ble Member in charge of the Department of Education be pleased to state whether there was an audit by the Government Auditor of the accounts of the Jagannath Intermediate College for the years 1921-22 to 1925-26?

(*b*) Has the attention of the Hon'ble Member been drawn to the report submitted by the Auditor?

(c) Is it a fact that the Government Auditor has pointed out grave and serious irregularities in the college accounts, specially on the following points—

(i) heavy travelling allowance bills drawn by the Principal; and

(ii) unauthorised payments, such as carriage hire for the Government Inspector of Boilers, contribution to the National Council of the Y.M.C.A., etc.?

(d) If the answer to (c) is in the affirmative, will the Hon'ble Member be pleased to state what steps, if any, the Government have taken to prevent the recurrence of such irregularities in the future?

The Hon'ble Mr. A. MARR: (a) Yes.

(b) Yes.

(c) A number of irregularties were pointed out.

(i) 12 items were objected to in the travelling allowance bills drawn by the Principal.

(ii) A number of unauthorised payments were detected.

(d) Government have issued orders calculated to prevent the recurrence of such irregularities in future.

11 a.m.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Member be pleased to state whether there is an Accountant in the Jagannath Intermediate College?

The Hon'ble Mr. A. MARR: I cannot say.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Member be pleased to state whether it is in the contemplation of Government to attach an Accountant to each of the Government Colleges of Bengal?

The Hon'ble Mr. A. MARR: I want notice of that, Sir.

Babu JITENDRALAL BANNERJEE: With reference to (d), will the Hon'ble Member be pleased to lay on the table a copy of the orders issued?

The Hon'ble Mr. A. MARR: I want notice of that. I should like to see the orders first.

Babu JITENDRALAL BANNERJEE: My question was whether the Hon'ble Member will lay a copy of the order on the table.

The Hon'ble Mr. A. MARR: I wish to see the orders first before I agree to lay them on the table.

Babu JITENDRALAL BANNERJEE: When were the orders issued?

The Hon'ble Mr. A. MARR: I cannot remember.

Babu JITENDRALAL BANNERJEE: May I draw your attention to one thing? In answer to the question the Hon'ble Member has said that the orders were such as would prevent a recurrence of such irregularities in future, but he does not know the orders himself?

The Hon'ble Mr. A. MARR: I have probably seen the order, but the Education portfolio is new to me and I am not yet proficient in it.

Principal of the Jagannath Intermediate College, Dacca.

*78. **Babu JITENDRALAL BANNERJEE:** (*a*) Will the Hon'ble Member in charge of the Department of Education be pleased to lay on the table a statement showing—

(*i*) the monthly salary of the Principal of the Jagannath Intermediate College; and

(*ii*) the amount of travelling allowance drawn by him during the five years of audit from 1921-22 to 1925-26?

(*b*) Is it a fact that the Hon'ble Raja Bahadur of Santosh has made the gift of a house known as Santosh House to serve as residential quarters for the Principal?

(*c*) Is it a fact that during the last 8 years the House has been in the occupation, not of the Principal, but of the Principal's married daughter and son-in-law?

The Hon'ble Mr. A. MARR: (*a*) (*i*) The monthly salary of the Principal is Rs. 800.

(*ii*) The amount of travelling allowance drawn by the Principal during the five years from 1921-22 to 1925-26 is Rs. 1,202-12-6.

(*b*) Yes.

(*c*) The House has always been in the occupation of the Principal where a section of his joint family including his married daughter lives.

Babu JITENDRALAL BANNERJEE: With regard to (c), will the Hon'ble Member be pleased to state if the Principal had ever been in residence in those quarters?

The Hon'ble Mr. A. MARR: Our information is that he has been.

Mr. P. C. BASU: Will the Hon'ble Member be pleased to state when the Treasury Benches have learnt that the daughter and her husband belongs to the joint family?

Mr. PRESIDENT: I do not allow it; that is no question.

Abandonment of Embankments Nos. 3, 5, 18 and 19 of Schedule D to the Bengal Embankment Act.

*79. **Kazi EMDADUL HOQUE:** With reference to the reply given to starred question No. 47 at the meeting of the Bengal Legislative Council held on the 17th March, 1927, will the Hon'ble Member in charge of the Department of Irrigation be pleased to state—

(*i*) the object of abandoning embankments Nos. 3, 5, 18 and 19 of Schedule D to the Bengal Embankment Act, 1873 (Ben. Act VI of 1873);

(*ii*) the purpose for which these embankments were originally created;

(*iii*) whether the construction of an escape weir at Kushpota near Ghatal has been undertaken;

(*iv*) if not, the approximate date on which the work will be commenced;

(*v*) the names of villages which will be benefited by such construction;

(*vi*) whether the zamindars and patnidars affected by such abandonment were consulted;

(*vii*) if not, the reasons therefor; and

(*viii*) the names of the then members of the Embankment Committee of the district of Midnapore?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhaibari: (*i*) The embankments were abolished because they seriously obstructed the passage of the floods.

(*ii*) These embankments were originally constructed by the zamindars as flood protective works.

(*iii*) No: the work is held in abeyance.

(*iv*) It is not proposed to proceed with the escape at present.

(*v*) Does not arise.

(*vi*) and (*vii*) Notices were duly issued by the Collector to all concerned when conducting his enquiry under the Embankment Act.

(*viii*) A list is laid on the table

List referred to in the reply to clause (viii) of starred question No. 79.

The names of the members of the Embankment Committee for the district of Midnapore in April 1926 and 1927 are noted below:—

April 1926.

1. *President*: A. W. Cook, Esq., C.I.E., I.C.S., Commissioner of Burdwan Division.
2. *Vice-President*: R. N. Reid, Esq., I.C.S., Collector of Midnapore.

Members.

1. Mr. H. C. Vieyra, Superintending Engineer, South-Western Circle (Offg.).
2. Mr. A. N. Mitra, Executive Engineer, Cossye Division.
3. Mr. S. C. Mitra, District Engineer, Midnapore (Offg.).
4. Mr. S. Ch. Ghosh, I.C.S., Subdivisional Officer, Contai.
5. Babu D. N. Sahah, Subdivisional Officer, Tamluk.
6. Babu L. K. Sen, Subdivisional Officer, Ghatal.
7. Babu S. P. Sircar, Subdivisional Officer, Sadar.
8. Babu P. B. Mitra, Khas Mahal Manager, Contai.
9. Babu B. P. Chakravaty, Khas Mahal Deputy Collector, Midnapore.
10. Babu Debendra Lal Khan, of Narajole.
11. Babu Gopal Prasad Garga, of Mahisadal.
12. Babu Girish Chandra Ray, Sub-Manager, Burdwan Raj, Sujamutha.

April 1927.

President: A. W. Cook, Esq., C.I.E., I.C.S.

Vice-President: H. S. Stevens, Esq., I.C.S.

Members.

Mr. H. C. Vieyra, Superintending Engineer, South-Western Circle (Offg.).

Mr. A. N. Mitra, Executive Engineer, Cossye Division.

Mr S. C. Mitra, District Engineer, Midnapore.

Mr. A. F. M. Rahaman, Subdivisional Officer, Contai

Mr. S. Ch. Ghosh, I.C.S., Subdivisional Officer, Tamluk

Babu L. K. Sen, Subdivisional Officer, Ghatal.

Babu S. P. Sircar, Subdivisional Officer, Sadar

Babu A. M. Chakravaty, Khas Mahal Manager, Contai.

Babu B. C. Dey, Khas Mahal Deputy Collector, Midnapore.

Babu Debendra Lal Khan.

Babu G. P. Garga, of Mahisadal.

Babu Girish Chandra Ray, Sub-Manager, Burdwan Raj, Sujamutha.

Srijut NAGENDRA NATH SEN: Will the Hon'ble Member be pleased to state to whom these abandoned embankments belong—whether to the Government or to the zamindars who constructed them?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: They originally belonged to the zamindars and subsequently were vested in Government.

Srijut NAGENDRA NATH SEN: With reference to answer (*iv*), how is the flood to be prevented since the construction of these embankments is finished?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: It is not proposed to proceed with the scheme.

Srijut NAGENDRA NATH SEN: Will the Hon'ble Member be pleased to state whether the Embankment Committee was consulted before these embankments were abandoned?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: I believe not.

Srijut NAGENDRA NATH SEN: Will the Hon'ble Member be pleased to state what has been the effect of the abandonment of these embankments during last year?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: The flood has been discharged much more quickly.

Unstarred Questions

(answers to which were laid on the table).

Quarters to the head-masters of improved type guru-training schools.

50. Khan Bahadur Maulvi EMADUDDIN AHMED: (*a*) Will the Hon'ble Member in charge of the Department of Education be pleased to state whether the Government in their letter No. 3248Edn., dated the 27th September, 1926, accorded sanction to the proposal of the Director of Public Instruction, contained in his letter No. 30, dated the 13th January, 1926, regarding the provision of rent-free quarters to the head-masters of improved type guru-training schools?

(*b*) Is it a fact that some quarters have already been constructed for these head-masters?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Member be pleased to state whether the Government are considering the desirability of—

(*i*) extending gradually this privilege to all other head-masters of guru-training schools; and

(*ii*) granting suitable house allowance to the head-masters where rent-free quarters have not yet been constructed?

The Hon'ble Mr. A. MARR: (*a*) Government sanctioned the grant of rent-free quarters to head-masters of improved type guru-training schools.

(*b*) Yes.

(*c*) (*i*) Whenever guru-training school buildings of the improved type are constructed with quarters for the head-master, he is allowed to occupy them rent-free.

(*ii*) No. Head-masters are allowed the privilege of occupying quarters rent-free when they are required to live in particular quarters in order to carry out the work of hostel supervision more effectively. The fact that such quarters are not provided does not establish claim for house allowance.

Dr. Khastagir's (Government) High School, Chittagong.

51. Khan Bahadur Maulvi SYED MAQBUL HUSAIN: (*a*) Will the Hon'ble Member in charge of the Department of Education be pleased to state—

(*i*) the present number of students in Dr. Khastagir's (Government) High School for Girls, class by class; and

(*ii*) the number of Muhammadan students in each class?

(*b*) Is the Hon'ble Member aware that Muhammadan girls cannot easily obtain admission in the said school?

(*c*) Is the Hon'ble Member aware of a feeling that exists that the want of a Maulvi teacher in the said school is the cause of paucity of Muhammadan girl students in the higher classes?

(*d*) Are the Government considering the desirability of reserving at least 33 per cent. seats in the said school for Muhammadan girls?

The Hon'ble Mr. A. MARR: (*a*) (*i*) and (*ii*) A statement is placed on the table.

(*b*) No. Of the 12 Moslem candidates for admission during the current session, 11 were admitted. Applications for admission into some of the lower classes are in excess of the accommodation available, and some candidates have to be refused admission every year.

(*c*) The question of appointing a Maulvi is under consideration.

(*d*) No.

Statement referred to in the reply to clause (a) of unstarred question No. 51 showing the total number of pupils and number of Muhammadan girls in the Dr. Khastagir's High School for Girls, Chittagong.

Class.	Number of girls in each class.	Number of Muhammadan girls.	Remarks.
X Old ..	9	..	No Muhammadan candidates for admission.
X New ..	5	..	
IX ..	10	..	
VIII ..	8	..	
VII ..	20	..	
VI ..	24	2	
V ..	53	6	
IV ..	44	4	4 Muhammadan candidates for admission—3 admitted.
III ..	51	11	
II ..	48	6	3 Muhammadan candidates—all admitted.
I (*b*) ..	29	7	2 Muhammadan candidates. Both admitted.
I (*a*) ..	16	5	3 Muhammadan candidates—all admitted.
Total ..	317	41	

Junior madrasah at Agardangi in Katwa subdivision.

52. Mr. M. ASHRAF ALI KHAN CHAUDHURI: (*a*) Will the Hon'ble Member in charge of the Department of Education be pleased to state when the junior madrasah at Agardangi in the Katwa subdivision, district Burdwan, was established?

(*b*) How many times the madrasah was inspected by the inspecting officers since its establishment?

(*c*) Will the Hon'ble Member be pleased to state whether the madrasah is getting any grant-in-aid from the Government?

(*d*) If the answer to (*c*) is in the negative, are the Government considering the desirability of granting a substantial aid to the madrasah?

The Hon'ble Mr. A. MARR: (*a*) January, 1925.

(*b*) Thirteen times.

(*c*) Rs. 25 per month.

(*d*) The question does not arise.

Panchthupi Union Board.

53. Mr. S. C. MUKERJI: (*a*) Is the Hon'ble Member in charge of the Department of Local Self-Government aware that a new union board has been created at Panchthupi in the Kandi subdivision of Murshidabad?

(*b*) Is it a fact that all the members elected and nominated to the said union board come from the same village Panchthupi?

(*c*) Is the Hon'ble Member aware that the said union is comprised of 19 villages?

(*d*) Is it a fact that Babu Saroj Krishna Ghosh who secured nomination was ejected from the booth for influencing votes during the election of members on the 13th May, 1928?

(*e*) Is it a fact that the other nominated Hindu member failed to get through the election?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) Yes.

(*b*) No. One elected and two nominated members belong to that village.

(*c*) The actual number of villages is 18, and only 9 of them are at all populous.

(*d*) No. Babu Saroj Krishna Ghosh is a zamindar. Some of the candidates objected to his being there on the ground that his presence might influence some of the voters unduly. He agreed to leave the polling booth when asked by the Circle Officer to do so.

(*e*) Yes.

Manual Instructors of the Government High English Schools.

54. Srijut TARAKNATH MUKERJEA: (*a*) Will the Hon'ble Member in charge of the Department of Education be pleased to state whether it is a fact that the manual instructors of the Government high English schools were first appointed in Class VIII of the Subordinate Educational Service?

(*b*) Is it a fact that under the scheme of re-organisation of these services, as announced by Government letter No. 464Edn., dated 3rd March, 1922, these manual instructors have been placed in the grade Rs. 50—2—80—3—110 along with the vernacular teachers?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Member be pleased to state the reason therefor?

The Hon'ble Mr. A. MARR: (*a*) Yes.

(*b*) Yes. The scale is for junior classical teachers, drawing and drill masters, and manual instructors as well as for vernacular teachers.

(*c*) The pay was fixed in consideration of the duties and qualifications required.

Opening of the gates leading to the platforms at Howrah Station.

55. Mr. D. N. ROY: (*a*) Is the Hon'ble Member in charge of the Department of Public Works (Railways) aware that the gates at the Howrah Station, especially those for the third class passengers, are usually opened only a few minutes before the trains leave, especially the Puri passenger train?

(*b*) Is the Hon'ble Member also aware that this causes considerable inconvenience to the third class passengers?

(*c*) Is the Hon'ble Member also aware that the said third class passengers are not properly attended to by the railway authorities?

(*d*) If the answers to (*a*), (*b*) and (*c*) are in the affirmative, are the Government considering the desirability of removing the grievances of these passengers?

The Hon'ble Mr. A. MARR: (*a*) Gates leading to the platforms at Howrah Station are opened for intermediate and third class passengers at least an hour before the departure of a main line train and half an hour before the departure of a local train, except when an incoming train runs late which is very seldom.

(*b*) Does not arise.

(*c*) This is a matter of opinion.

(*d*) Does not arise.

Srijut NAGENDRA NATH SEN: Will the Hon'ble Member be pleased to state whether he considers the present arrangements at the Howrah Station to be satisfactory?

The Hon'ble Mr. A. MARR: Very satisfactory. I went down to the Howrah Station when going to Puri some time ago, and looked at the arrangements myself.

Srijut NAGENDRA NATH SEN: Will the Hon'ble Member be pleased to state whether he ever has been at the third class section of the Howrah platform?

The Hon'ble Mr. A. MARR: Yes, Sir, I was there some time ago.

Srijut NAGENDRA NATH SEN: Will the Hon'ble Member be pleased to state whether there is a time-limit before which the gates are not to be opened?

The Hon'ble Mr. A. MARR: That is already stated in the answer.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Member be pleased to state if he had given previous intimation to the railway authorities that he was going to see things himself?

The Hon'ble Mr. A. MARR: No.

Mr. J. M. SEN GUPTA: So far as the answer to (*a*) is concerned, will the Hon'ble Member be pleased to state who were the informants from whom the answer has come?

The Hon'ble Mr. A. MARR: The railway authorities.

Srijut NAGENDRA NATH SEN: Will the Hon'ble Member be pleased to state how many minutes before the starting of the train, the third class gates were opened on the date of his inspection?

The Hon'ble Mr. A. MARR: I am afraid I cannot say.

Jantrail Union Board in Dacca.

56. Mr. SYED MD. ATIQULLAH: (*a*) Will the Hon'ble Member in charge of the Department of Local Self-Government be pleased to state whether there is any rule or circular which guides the District Magistrate in the matter of appointments of members of the Union Boards?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to lay on the table a copy of the same?

(*c*) Will the Hon'ble Member be pleased to state whether in the recent appointment of members of the Union Board of Jantrail, police-station Nawabganj, Dacca, the said rule or circular was followed?

(*d*) Is the Hon'ble Member aware that the people of the said Union Board submitted representations to the District Magistrate, Dacca, to appoint members from communities and from areas left unrepresented in the election?

(*e*) Will the Hon'ble Member be pleased to state whether it is a fact that the President of the Jantrail Union Board has resigned his elected seat stating the reasons therefor?

(*f*) If so, will the Hon'ble Member be pleased to lay on the table a copy of the reasons recorded by the said President?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) There is no rule or official circular on the subject.

(*b*) and (*c*) Do not arise.

(*d*) Yes.

(*e*) Yes.

(*f*) No.

Mr. SYED MD. ATIQULLAH: With reference to (*a*), will the Hon'ble Member be pleased to state whether the District Magistrate has got absolute discretion in this matter?

The Hon'ble Sir PROVASH CHUNDER MITTER: The District Magistrate is not necessarily bound to accept the Chairman's suggestion, but he is expected to consult the Chairman.

Mr. SYED MD. ATIQULLAH: (The member made another supplementary question which was not heard at the reporters' table.)

The Hon'ble Sir PROVASH CHUNDER MITTER: It is a very long document and it is only of local interest.

Mr. SYED MD. ATIQULLAH: Will the Hon'ble Member be pleased to lay it on the Library table?

The Hon'ble Sir PROVASH CHUNDER MITTER: I have no objection.

"More" embankments in Midnapore.

57. Khan Bahadur Maulvi EKRAMUL HUQ: (*a*) Is the Hon'ble Member in charge of the Department of Irrigation aware that an allowance of Rs. 3,172-12-8 is made to the zamindars of Fatehsingh and Rokunpore (in Murshidabad) on the condition of their maintaining the bunds necessary to preserve the country from the sandy inundations of the "More"?

(*b*) Will the Hon'ble Member be pleased to state what steps are taken by the Government to enforce the strict application of this public money and to ascertain that the bunds are kept up in an efficient manner?

(*c*) Is the Hon'ble Member aware that during the last thirty years not a single year passed when Panchthupi and its neighbouring villages have not suffered from the sandy inundations of the "More"?

(*d*) Will the Hon'ble Member be pleased to state how much money was spent by the zamindars in the repair of the "More" embankment at Rajyadharpore in 1913-1914, and with what result?

(*e*) Is it a fact that the "More" embankments are never efficiently maintained nor the villages lying alongside the river are protected against the sandy inundation?

(*f*) If the answer to (*e*) is in the affirmative, are the Government considering the desirability of withholding the contribution?

(*g*) Is it a fact that Mr. Addams-Williams in a speech before the Calcutta Rotary Club, stated that the embankments have rather helped to raise the river-beds and consequently to make the inundations more frequent?

(*h*) If so, what steps are being taken by the Government to demolish them in order to minimise the damages caused by the sudden and violent invasions of the flood waters?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: (*a*) The hon'ble member is referred to section 44 of the Bengal Embankment Act II of 1882.

(*b*) Attempts were made from time to time to induce the zamindars to maintain the embankments properly, but the Act does not provide any means for compelling them to do so.

(*c*) and (*d*) Government have no information.

(*e*) The inefficient condition of the "More" embankments has been brought to the notice of Government from time to time.

(*f*) No.

(*g*) No.

(*h*) The question does not arise.

Khan Bahadur Maulvi EKRAMUL HUQ: With reference to answer (*c*) will the Hon'ble Member be pleased to state whether it is not a fact that the tenants of Panchthupi informed Government by wire every year of the inundations?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: We have had no such wires in this Department.

Khan Bahadur Maulvi EKRAMUL HUQ: Will the Hon'ble Member be pleased to state if it is not a fact that Mr. Monahan, the then Commissioner of the Presidency Division, visited the place and enquired into the matter?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: I have no information, Sir.

Khan Bahadur Maulvi EKRAMUL HUQ: Will the Hon'ble Member be pleased to state if it is not a fact that in 1920 the right embankment was broken with the result that there was sand deposit in a number of villages?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: I have no information, Sir.

Khan Bahadur Maulvi EKRAMUL HUQ: Will the Hon'ble Member be pleased to state if that embankment was allowed to remain in that condition for several years?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: I have no information.

Khan Bahadur Maulvi EKRAMUL HUQ: Will the Hon'ble Member be pleased to enquire from Mr. Addams-Williams, in reference to answer to (*g*), whether he actually made that statement in the Rotary Club?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: He never made that statement in the Rotary Club.

Khan Bahadur Maulvi EKRAMUL HUQ: Will the Hon'ble Member be pleased to state if it is not a fact that the tenants of Panchthupi are poverty-stricken on account of these inundations?

Mr. PRESIDENT: That does not arise at all.

Khan Bahadur Maulvi EKRAMUL HUQ: Will the Hon'ble Member be pleased to state if, after considering all the facts, Government does not think it desirable to amend the Embankment Act?

Mr. PRESIDENT: That is much wider than the question itself; I do not allow it.

Improvement of communications of, as against road cess realised from, Burwan thana in Kandi.

58. Mr. S. C. MUKERJI: Will the Hon'ble Member in charge of the Department of Revenue (Land Revenue) be pleased to lay on the table a statement showing —

(*i*) the current average rent per bigha of agricultural land prevailing in the different subdivisions of Murshidabad;

(*ii*) the amount (in comparative statement) received as road cess from these subdivisions;

(*iii*) the amount of road cess realised from the villages under the jurisdiction of thana Burwan in the Kandi subdivision of the said district; and

(*iv*) the amount granted by the Murshidabad District Board for the improvement of communications in the Burwan thana?

MEMBER in charge of DEPARTMENT of REVENUE (LAND REVENUE) (the Hon'ble Sir Provash Chunder Mitter): (*i*) to (*iv*) The necessary statement is laid on the table.

Statement referred to in the reply to unstarred question No. 58.

(*i*)

Subdivision.	Average rate per acre.		
	Mokarari raiyats.	Settled and occupancy raiyats (cash rent)	Non-occupancy raiyats (cash rent).
	Rs. A. P.	Rs. A. P.	Rs. A. P.
Lalbagh	2 8 5	3 11 11	4 3 11
Jangipur	2 11 6	3 5 10	4 2 9
Berhampore	2 4 1	2 15 8	4 1 4
Kandi	3 13 6	4 9 5	5 9 4

(*ii*) Rs. 59,797 from the Sadar subdivision; Rs. 51,836 from the Kandi subdivision; Rs. 37,654 from the Jangipur subdivision; Rs. 31,275 from the Lalbagh subdivision.

(*iii*) Rs. 6,405.

(*iv*) The sum of Rs. 1,957 has been provided in the current year for repairing roads in Burwan thana. Besides this Rs. 20,341 out of the advance made by Government to the District Board under the Bengal Famine Code, has been spent on improving the Andi-Hatia road, Kandi-Belgram road and the Badshahi road which pass through that thana.

Babu NALINIRANJAN SARKER: My question regarding the Irrigation Department has been outstanding for the last 21 days. May I ask the Hon'ble Member when I can expect answer to that?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: In a few days.

Babu NALINIRANJAN SARKER: May I inquire whether I shall have the answer before the Irrigation Budget is taken up or after?

Mr. PRESIDENT: You ought to be satisfied with what the Hon'ble Member has already said.

Supplementary Estimates of the Government of Bengal for 1928-29.

Demands for Grants.

7.—Stamps.

The Hon'ble Mr. A. MARR: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 36,000 be granted for expenditure under the head "7.—Stamps." The memorandum explaining this demand has been circulated to all the members of this House, and I need add little to that. The expenditure under this head is mostly expenditure under "Sale of stamps." This expenditure has been increased owing to two unforeseen circumstances. First, Rs. 19,000 worth of stamps had to be taken over from the stock of the Central Stores at Calcutta on its abolition. Secondly, more stamps were received from the Central Stamps Stores, Nasik, on account of increased demands for stamps. These two items have given rise to this increased expenditure of Rs. 36,000 under this head, and I now move that this be sanctioned.

The motion was put and agreed to.

25.—Jails and Convict Settlements.

The Hon'ble Sir PROVASH CHUNDER MITTER: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 30,000 be granted under the minor head "Jails" by reappropriation from savings under the minor head "Jail manufactures" in the "25.—Jails and Convict Settlements" budget to meet the cost on account of pay of Superintendent of certain Central Jails in Bengal during the current financial year.

Since the original estimates were passed last year, the Government of India decided that two Superintendents of Central Jails whose salary used to be non-voted should now be treated as voted. On account of the leave, due to illness, granted to one of the officers whose salary is non-voted, another officer whose salary is voted officiated in his place. The result is that there will be a saving of Rs. 35,000 which will be allowed to lapse under the non-voted head, and I am now asking this Rs. 30,000 under the voted head to cover this expenditure.

The motion was then put and agreed to.

The Budget Grants of the Government of Bengal for 1929-30.

Demands for Grants.

5.—Land Revenue.

11-15 a.m.

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 44,07,000 be granted for expenditure under the head "5.—Land Revenue."

This demand is lower than the current year's budget grant by Rs. 3,36,000. The figures are given at page 27 of the Civil Budget Estimate (the Blue Book). The reductions have been effected by scrutinising the demand under the minor and detail heads as closely as possible. The demand under "Survey and Settlement," in which the two party programme decided by the Council in 1921 is being followed, is particularly low, being Rs. 21,97,000 only, as against current year's budget grant of Rs. 25,98,000 (see page 37 of the Blue Book). I find that there are a number of amendments which are really based on the difference between the actuals of 1927-28 and the budget estimate of 1929-30. A word of explanation for this apparent difference may perhaps be useful. I trust after I explain the reason some hon'ble members who intend to move cuts based on this apparent difference will realise that we are really asking for a grant which is lower than the previous year's estimate by more than Rs. 3,00,000. The explanation of this difference is as follows. Up to the year 1927-28 realisations were credited and the demand which was moved in the Council was the net demand. For example, in land acquisition proceedings when Government acquires lands for railway companies or local bodies, the cost is realised from the authorities for whose benefit such acquisitions are made. Up till 1927-28 the net expenditure to Government was the figure mentioned for the purposes of the budget demand. Since 1928-29 a new practice has been introduced in accordance with which recoveries from local bodies, etc., on account of land acquisitions, partition and certificate charges are credited under head "5.—Land Revenue—Miscellaneous" instead of deducting them from the gross expenditure under the respective heads. If this procedure had not been introduced the demand under "5.—Land Revenue" for 1929-30 would have stood at a much lower figure. There is however one head under which the demand is really higher than that of 1927-28 and that is under the head of "Land Acquisition." The reason for the increase is that in the current year we have been asked to acquire lands for a number of new railway projects. The railway companies however will pay for the acquisition charges, so that there is really no increase in actual expenditure to Government.

I do not want to anticipate the criticisms of the members with regard to various cuts but I trust after the explanation that the demand I am asking the Council to grant is really lower by more than Rs. 3,00,000 than the last year's demand, some of the hon'ble members at any rate will be satisfied and some of them I hope will save the time of the House by not moving the motions which stand against their names.

Maulvi ASIMUDDIN AHAMAD: Sir, may I move motions Nos. 2 and 3 together?

Mr. PRESIDENT: No, you had better move them separately.

Maulvi ASIMUDDIN AHAMAD moved that the demand of Rs. 35,000 under the head "5A.—Charges of administration—Travelling allowance" be reduced by Rs. 12,512.

He spoke in Bengali, the English translation of which is as follows:—

"Sir, we find from the Civil Budget Estimate for the year 1929-30 that the expenditure in 1927-28 for 'Travelling allowances' was Rs. 22,488 and in 1928-29 the revised estimate was for Rs. 26,000.

We have Rs. 12,512 as the difference between the expenditure under this head in 1927-28 and 1929-30. This amount may be spent on works of public utility. We see that the expenditure under this as well as under other heads is being gradually increased. Government are always in want of funds when we speak of the works of public and national welfare; but when notwithstanding this they go on wasting more and more money on honoraria and allowances, how can we keep our eyes closed and say nothing? Government servants often unfairly take allowance when they travel for private purposes and Government always connive at it. I say, therefore, that all these estimates are unfair and that they should be cut down. It is reasonable to bring it down to the amount actually spent in 1927-28. In motion No. 3 I have shown that the Hon'ble Finance Member has asked for Rs. 7,913 more this year for charges under head 'Office expenses and miscellaneous' than what was spent under the same head in 1927-28. Both these charges are of the same department. As the time at my disposal is short I am unable to point out to you many other instances of whimsical expenses in the same department. I hope the House will not sanction this extra expenditure."

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, whatever the suspicions of the hon'ble member may be about travelling allowances being utilised by officers of Government for shooting parties and so on, in the present case the reason for the increase of the demand

under this head is that there are a larger number of additional railway projects. In the year 1927-28 there were seven special land acquisition establishments. In Calcutta we had two offices; in 24-Parganas we had two offices; in Burdwan there was sanction for an establishment from June 1927; in Rajshahi for the Abdulpur-Nawabganj Railway there was budget estimate for Rs. 1,199; in Dinajpur for the Dinajpur-Ruhia Railway, since abolished, there was provision for Rs. 542; in Mymensingh for the Netrokona-Mohanganj Railway, since abolished, there was provision for Rs. 937. Now, the total of that year under this head came to Rs. 22,488. In the present year we have the same two offices in Calcutta and practically the same estimate. The same is the case with 24-Parganas. In Burdwan, on account of large acquisitions in connection with the Damodar Canal project, the estimate has been increased from Rs. 2,473 in 1927 to Rs. 5,400 in the current year. Then there are a large number of railway schemes in Faridpur, for which a provision of Rs. 3,900 has been made. For the Chittagong-Nazirhat Railway, sanctioned in 1928-29, there is a provision of Rs. 2,000. For the Feni-Belonia Railway in Noakhali, sanctioned in 1928-29, a provision of Rs. 1,500 has been made. For the Dacca-Aricha Railway and for the Chittagong-Dohazari Railway, the estimate under this head is Rs. 3,000. It will thus be seen that additional railway projects and increased work in connection with the Damodar Canal project are responsible for the increase in the estimate under this head. So far as the railway projects are concerned, this increase cannot strictly be called an excess expenditure, as the money will be recovered from the railways later on. I trust that after this explanation, the Council will agree to this demand.

The motion of Maulvi Asimuddin Ahamad was then put and lost.

11-30 a.m.

Maulvi ASIMUDDIN AHAMAD moved that the demand of Rs. 15,384 under the head "5A.—Charges of Land Revenue Administration—Office expenses and miscellaneous" be reduced by Rs. 6,913.

He spoke in Bengali, the English translation of which is as follows:—

"The expenditure under this head was Rs. 8,471 in 1927-28 and Rs. 10,900 in 1928-29. May I ask you, Mr. President, why the Hon'ble Member has raised it to Rs. 15,384 this year?

Is public money to be spent only on allowances and office administration? Is there no other work in hand?

Government plead want of funds and refuse our just demands when we raise the question of sanitation, education and agricultural loans and ask for money, but year after year they waste money on office administration, maintenance of officers and other useless purposes.

Government will no doubt mention some reason or other for additional expenditure and give courteous answers to questions asked in the House, but the reasons adduced by them will be far from satisfactory. It will take a lot of time to put forth the grievances of the villagers, but has the Hon'ble Finance Member seen with his own eyes how in Calcutta human beings sleep on the foot-paths in the company of dogs, having no house, no food and no medicine when they are ill? We sometimes travel on foot and we have seen these men crying aloud for food and cloth or clasping people's feet. The sight is intolerable to us, but Government are indifferent. The poor mufassal people experience difficulty in finding shelter in Calcutta when they come here.

It would have been a real boon to them if Government had spent the extra money they demand under this head for making some such provision as that of renting a house for accommodating these villagers and other poor people. I would like to have a satisfactory reply from Government on all these points."

Babu BEJOY KRISHNA BOSE: Credit has been taken by the Hon'ble Member in charge and he has twice repeated in his speech that the Budget estimate for 1929-30 is less by over Rs. 3 lakhs than that for 1928-29. If, Sir, care be taken to go through the figures, it will be found that it is a misleading statement—I do not however say that it is intentionally misleading. Now, Sir, if you look at the figures for the last five years—it may be that he has taken credit this year for Rs. 3 lakhs for some reason or other but from the figures for the last five years from 1924 -

Mr. PRESIDENT: Is what you are saying relevant? We are discussing a particular item of the budget, namely, office expenditure, etc., and I do not think that you can discuss the budget as a whole. You should confine yourself to the particular item.

Babu BEJOY KRISHNA BOSE: I am confining myself to the matter of the increase both in the pay and establishment charges in all the departments under the head "Land Revenue." I have gone through the figures and what I find is this: whereas the revenue from 1924-25 up to date has increased by Rs. 13,26,000, the expenses have increased by Rs. 16,89,000 and I was arguing the point why it was misleading. During this particular year there may be a decrease of expenditure for Rs. 3,00,000, but unless we look at the figures for the last five years———

Mr. PRESIDENT: What you are saying may be true, but what I meant to say was that you must confine yourself to the particular item which is now before the House.

Babu BEJOY KRISHNA BOSE: I have got nothing further to say than that the expenses have really increased during the last five years.

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, the reason for this apparent increase of expenditure is similar to what was discussed in connection with item No. 2, namely, that in this year there have been a number of new railway projects, such as in Faridpur in connection with Kalukhali-Bhatiapara Railway; in Chittagong in connection with Chittagong-Nazirhat Railway; in Noakhali, in Dacca and also in Chittagong. As a result we have to provide for expenditure under these heads. In Faridpur we have provided for Rs. 1,800, in Chittagong Rs. 2,500, in Noakhali Rs. 2,000, and for the Chittagong and Dacca offices Rs. 3,000 and so on; and that is the reason for this "apparent" increase I say apparent because it will be realised from the Railway Company. The general remark which has been made applies to all heads—

Mr. PRESIDENT: Sir Provash, I did not allow other members to go into the budget as a whole.

The Hon'ble Sir PROVASH CHUNDER MITTER: I am not going into that question. I am strictly confining myself to the amendment; and in connection with the amendment, I would draw attention to page 27, where hon'ble members will find under the head "Actuals" towards the end of the page that there is a deduction for establishment charges recoverable, *viz.*, Rs. 6,21,000, a portion of which is for recoveries from Railway administrations. Now, as Maulvi Asimuddin Ahamad did not perhaps follow the remarks I made, as he repeated the same arguments, I might, with your permission, explain the matter to him in a couple of sentences in Bengali.

(The Hon'ble Member explained in Bengali the reason for the apparent increase.)

The motion of Maulvi Asimuddin Ahamad was then put and lost.

The following motion was called but not moved:

"Maulvi TAMIZUDDIN KHAN: That the demand of Rs. 2,64,000 under the head '5A.—Charges of Administration—Land Acquisition Establishment' be reduced by Rs. 100."

Rai SATYENDRA NATH ROY CHOUDHURI Bahadur: I beg to move that the demand of Rs. 32,000 under the head "5A.—Charges of Administration—Ward Estates Establishment" be reduced by Re. 1 (to discuss the insufficiency and lack of interest).

In the administration of this department Government practically concentrates its energy and attention to the collection rather than to the due administration of its trust and charge. Estates are placed in charge of Court of Wards for the disqualifications of the proprietors. These disqualifications arise sometimes out of minority or insanity of the wards and sometimes co-sharer landlords unable to appoint a common manager place their estates under Court of Wards. The managers and sub-managers have little regard for the feelings, sentiments and welfare of their wards. Their chief anxiety lies in the good collection so that the Collector and the Board of Revenue may be satisfied with their work, but they seldom take personal care for the protection and development of the properties. It is a well-known fact that the civil litigations by and against the Court of Wards are not looked after as satisfactorily as private cases. This is due entirely to the lack of personal care. Neither the managers nor their subordinates take such personal care as private proprietors and their officers do. Few managers and their subordinates take the personal care and pains to be acquainted with full details of facts by wading through the voluminous documents and records of the proprietors far less they make personal and sifting enquiries of all possible sources of evidence both oral and documentary. They rely on the notes and reports prepared by tahsildars and clerks without due enquiry and feeling no interest for its subject-matter.

True it is that the realisation of the estates under the Court of Wards is far better than the private estates, but there is really no credit for it. Court of Wards officers including tahsildars and peons are looked upon by the tenants as Government servants and they can exercise any amount of power without any fear and can realise rents however illegally, irregularly and unreasonably—few tenants would protest or rush to court as they are under the impression that their work is an uphill work.

Court of Wards records so far as tenants' rights and names are concerned are in many cases not complete and up to date. Certificates are often filed against persons who have long transferred their tenures and sometimes in the name of original tenure-holders though there have been three or four successive transfers by court and private sales. Certificates are issued in the names of some of the tenants excluding the major portions of them and sometimes in the name of the grandfather though the grandson has succeeded. In many cases such certificates are somehow made final and money realised by the attachment of movables of the judgment-debtors. These are treated almost like Government demands, so the passage of realisation is easy and smooth. The inequities and hardship are apparent and few dare to seek the remedy. In case of sale and purchase of the tenure by the Court of Wards, it becomes a sale in execution of a money decree

or no decree and the result upon the estate is not far to imagine. If one estate is placed in charge of the Court of Wards by different proprietors of their shares at different times, separate certificates for each share are issued and there are so many money decrees inconvenient both for the estate and the tenant. All these are due to the lack of personal interest and consequently of proper enquiries by the officers.

The percentage of collection charges under the management of Court of Wards is much higher than under private management. Still the officers entrusted with the charge take little interest or are rather confined to their routine duties. The Hon'ble Member in charge of the department who is himself a big zamindar can well imagine the inefficiency and its consequent results upon the estates and tenants for the lack of personal interest of its officers.

With these remarks I move this token cut that stands in my name.

Srijut NAGENDRA NATH SEN: I join with my friend, Rai Satyendra Nath Roy Choudhuri Bahadur, in what he has said. A good deal of opprobrium attaches to the name of zamindar. He is held up to the world as an oppressive person capable of doing any form of mischief and so forth. Whenever the Court of Wards assumes charge of any estate, it becomes devoid of all human feelings and it concentrates its attention only upon the realisation of rents from the tenants quite unmindful of their troubles and hardships. The manager has absolutely no connection with that part of the country where the zamindari is situated and he can take a good deal of pride if he can show a large percentage of arrear collections. His future promotion depends upon the amount he can realise and if he can show that he is unmindful of any other considerations which ought to weigh and always weigh with private zamindars. The remedy lies in changing the system in which this administration is carried on. No conviction, no promotion, is the basis of promotion so far as the administration of justice is concerned. No realisation of rent, no promotion, is the principle or the motto which guides the superior officers of the Revenue Department from the Board of Revenue downwards. So it is no wonder that the manager under the Court of Wards does not exercise the discretion which he can exercise under normal conditions in such a manner as to avoid the utmost amount of inconvenience and hardship to the tenants. There ought to be some limit to these exactions if I am permitted to use the word.

11-45 a.m.

In this connection a discussion has been raised and I want to draw the attention of the superior revenue officers of Government from the Hon'ble Revenue Member downwards that if they take some personal

care in these things, a great deal of improvement may be brought about. Managers of Courts of Wards show a certain amount of indifference to their wards which ill befits their dignified position. They take advantage of their official position to bring indignity on their wards and also the co-sharers of their wards. Whenever there is any difference between their wards and other co-sharers who are not under their management the lot of those co-sharers is very hard and instances have been known—and I can cite them—in which managers have behaved in a manner which is irritating, undignified and unbecoming; and I think, Sir, such things can be avoided if superior revenue officers give some of their personal care to them.

The Hon'ble Sir PROVASH CHUNDER MITTER: It is rather difficult to answer the somewhat vague generalities of my hon'ble friends. The complaint of Rai Satyendra Nath Roy Choudhuri Bahadur, or rather one of his complaints, is that the Courts of Wards managers seldom take care of their wards. Now there are quite a large number of Courts of Wards estates under the management of the Board of Revenue and the total rent roll of such estates is about Rs. 96 lakhs or nearly a crore of rupees. If in a particular estate a particular manager is guilty of conduct such as has been alleged then this should in the first instance be brought to the notice of the Collector who is responsible for the administration of the Court of Wards in that district. If no remedy is obtained from him, then it may go to the Divisional Commissioner, and the Board of Revenue and ultimately to Government; but unless specific instances are brought to the notice of the local officers and unless there is proper investigation, it is perhaps unjust to characterise the Court of Wards managers as a class of officers who do not attend to their duties or are not sympathetic towards their wards. It is significant that whereas Rai Satyendra Nath Roy Choudhuri Bahadur says that the realisation of the Courts of Wards is satisfactory, Babu Nagendra Nath Sen does not perhaps see eye to eye with him on this point. Rai Satyendra Nath Roy Choudhuri Bahadur is of opinion apparently—perhaps he will correct me later on, if I am wrong—that good collection means satisfactory record for zamindari work. On the other hand Babu Nagendra Nath Sen seems to think that good collection is testimony of harshness. It is all very well, Sir, to be generous with other people's money. It is well known that Courts of Wards estates are either estates of minors or of disqualified proprietors who have had to come under the Courts of Wards owing to heavy indebtedness, or of females who are unable to manage their own properties. The manager of Courts of Wards is a trustee. It is his business to do his best and he tries to do his best. Now, Sir, nobody has asserted that in such and such an estate such and such a manager has acted with harshness and that no remedy was obtained even though the matter was brought

to the notice of his immediate superiors and due investigation was not made. That being the position, I submit that this is not the proper procedure of getting the relief which my friends want. If relief is sought, specific instances must be given so that a local enquiry may be made with a view to the matter being satisfactorily dealt with.

The motion that the demand of Rs. 32,000 under the head "5A.—Charges of Administration—Wards Estates Establishment" be reduced by Re. 1 was then put and a division taken with the following result:—

AYES.

Ahamad, Maulvi Asimuddin.
Atiqullah, Mr. Syed Md.
Brgohi, Babu Romes Chandra.
Banerjea, Dr. Pramathanath.
Banerjee, Babu Promotha Nath.
Bannerjee, Babu Jitendralal.
Basu, Mr. P. C.
Bose, Babu Bejoy Krishna.
Chakravarti, Babu Jogindra Chandra.
Chatterjee, Srijut Bijay Kumar.
Chaudhuri, Maulvi Nurul Huq.
Das Gupta, Dr. J. M.
Dunguly, Babu Khagendra Nath.
Chose, Babu Amarendra Nath.
Dupta, Mr. Jogesh Chandra.
Maiti, Babu Mahendra Nath.
Moitra, Srijut Jogendra Nath.
Mukerjea, Srijut Taraknath.
Pal Choudhuri, Mr. Ranjit.
Rahman, Maulvi Shamsur-.
Ray, Dr. Kumud Sankar.
Rey, Srijut Radha Gobinda.
Roy, Dr. Bidhan Chandra.
Roy, Mr. Kiran Sankar.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarker, Babu Nalinıranjan.
Sen, Srijut Nagendra Nath.
Sen Gupta, Mr. J. M.

NOES.

Acharjya Chaudhuri, Maharaja Shashi Kanta.
Addams-Williams, Mr. C.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Blair, Mr. J. P.
Cassells, Mr. A.
Choudhuri, Khan Bahadur Maulvi Hafizar Rahman.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur,
Choudhury, Maulvi Khorshed Alam.
Clark, Mr. I. A.
Cohen, Mr. D. J.
Dash, Mr. A. J.
Drummond, Mr. J. G.
Forrester, Mr. J. Campbell.
Gilcss, Mr. M. C.
Ghosh Maulik, Mr. Satyendra Chandra.
Habibullah, Nawab Khwaja.
Haque, Khan Bahadur Maulvi Azizul.
Hogg, Mr. G. P.
Hosain, Nawab Musharruf, Khan Bahadur.
Hussain, Maulvi Latafat.
Jenkins, Dr. W. A.
Kasem, Maulvi Abul.
Laird, Mr. R. D.
Lamb, Mr. T.
Marr, the Hon'ble Mr. A.
McCluskie, Mr. E. T.
Mitter, the Hon'ble Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. H.
Mukerji, Mr. S. C.
Philip, Mr. J. Y.
Philpot, Mr. H. C. V.
Prentice, Mr. W. D. R.
Rahman, Mr. A. F. M. Abdur-.
Rauf, Maulvi Syed Abdur.
Ray, Babu Surandra Nath.
Ray Chaudhuri, Mr. K. C.
Rose, Mr. G. F.
Roy, Mr. Bijoy Prasad Singh.
Sarker, Rai Sahib Rebati Mohan.
Sen, Mr. Satish Chandra.
Shah, Mr. Gholam Hossain.
Sinha, Raja Bahadur Bhupendra Narayan.
Stapleton, Mr. H. E.
Suhrawardy, Mr. H. S.
Tate, Major General Godfrey.
Thomas, Mr. H. W.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Wordsworth, Mr. W. C.

The Ayes being 28 and the Noes 50 the motion was lost.

Babu PROMOTHA NATH BANERJEE: I move that the demand of Rs. 32,000 under the head "5A.—Charges of Administration—Wards Estate and Establishment" be reduced by Re. 1 (to discuss the management of the Wards Estates in Contai subdivision and to protest against the action of the Manager of the Basudevpur Wards Estate for realising rent with interest from *raiyats* of the flood-stricken areas of the Khagda Dubda *jhils* when other partner zamindars seeing the miserable condition of the *raiyats* have granted remission of rents.)

I beg to move the motion of reduction only to draw the attention of the Government to the miserable condition of the flood-stricken people of the Kagda and Dubda basins and to the action adopted by the manager of the Basudevpur ward estate in realising rents from the tenants of those places. Sir, the places Kagda and Dubda are very low and it is almost yearly inundated by flood. Fortunately, Mr. Addams-Williams is present here, and he knows full well the condition of the people of those places. The people of those places do not get crop yearly but they get crop after every fourth or fifth year. For the last three years they did not get crop for flood and only this year they have got crop. For this reason there is a custom with the zamindars of the places from time immemorial that they give remission of rent to the tenants for the years in which they suffer loss of crop. This system has been———

(At this stage Maulvi Nurul Huq Chaudhuri crossed the floor between the speaker and Mr. President.)

Mr. PRESIDENT: Mr. Nurul Huq Chaudhuri, please do not cross the floor between the member in possession of the House and the Chair.

Babu PROMOTHA NATH BANERJEE: This system has been followed by the zamindars and I may mention the name of one zamindar, Chowdhury Narendra Nath Bahari of Betagur, who has given remission of rent for the years in which the people suffered loss of crop. But the manager of the ward estate of Basudevpur has given no remission of rent for the last two years; and not only this, he has charged interest for arrears of rent. The Government gave agricultural loan for the last two years and even they gave relief, yet the manager did not think it necessary to give remission for the years in which the people got no crop. I think the manager cannot do away with the old custom followed by the zamindars of Basudevpur before their estates went under the management of the Court of Wards. If Government give me promise that they will enquire and take steps I am ready to withdraw my motion.

12 noon.

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, I am certainly prepared to enquire into this matter. Since the receipt of this notice we enquired from the Board of Revenue, and, I understand, that the manager did suspend the collection of the arrears, and he also allowed tenants to pay up and no interest was charged in the case of those who paid up within a certain period. But there is this difference between a private proprietor and a person whose estate is under the Court of Wards. The manager of the Court of Wards should have regard to the condition of the tenants, if there is acute distress, and if the condition of the tenants permit, he ought to try to realise as much rent as he can. I have, however, no objection to make further enquiries into the matter.

The motion of Babu Promothn Nath Banerjee was then, by leave of the Council, withdrawn.

Srijut JOGENDRA NATH MOITRA: I beg to move that the demand of Rs. 1,000 under the head "5A.—Road Cess Valuation and Revaluation Establishment" be reduced by Rs. 100. (The drastic manner in which the work of revaluation is being done.)

Sir, I rise to record my most emphatic denunciation of the most drastic manner in which road cess revaluation is being conducted in some of the districts of Bengal.

I claim to have some knowledge of its working in the district of Pabna, and I shall confine my remarks to that place. But I am sure the policy pursued there is bound to be followed in other parts of Bengal—the brain centre being the same.

Sir, a few months ago I had put in some interpellations in this connection. But the replies they evoked from the Hon'ble Member in charge of the Revenue Department were halting and most evasive. They were not convincing; on the other hand, they disclose in an unmistakable manner the working of a troubled conscience. The poor people of the district got highly alarmed over this unjust imposition and those among them who had still a lingering faith in the honesty of the Government, sent a largely signed memorial to His Excellency the Governor praying for immediate relief. But, as usual, it received a very scanty attention. Nothing has been done so far; at least to our knowledge—not even an enquiry made as to the legitimacy or otherwise of the complaints made.

The Cess Act clearly lays down in section 4 that while ascertaining the value of a land only the annual rent paid by the cultivating raiyats should be taken into consideration. But in the course of this

revaluation, you will be astonished to learn that the bargadars have been treated as raiyats and the crops paid by them as rent. This is not only against the letter and spirit of law, but also against the custom and usage of the district prevailing from time immemorial. A distinction has been sought to be made between a cultivating raiyat and a non-cultivating raiyat. The tenants cultivating land with the help of bargadars have been classed as " non-cultivating " raiyats. We fail to find, how and from what law this novel definition of a " non-cultivating raiyat " has been found. The Bengal Tenancy Act, old and new, *i.e.*, the previous and the amended one, has no such definition. The Revaluation Officer, when questioned, could not give any law or ruling in his support. Many eminent lawyers proceeded to discuss the legal aspect of the question and pointed out clearly the most illegal and arbitrary method of his assessment; but, the *jabardast hakim* would only say that he had instructions on the point, and he was there to carry them out. But what was the nature of instruction, he would not or could not say. This illegal process has been going on mercilessly with the result that tenants having bargadars have been assessed at even five times or more of their original assessment on the same jama or rent.

The table of rates determined by the Revaluation Officer is abnormally high, as will be shown by the fact that lands under barga in Sadar subdivision have been valued at Rs. 18-12 per acre and at Rs. 21-14 in Serajganj subdivision. The valuation of different classes of land has been fixed most sweepingly without reference to the varying local conditions. Cesses have been levied on waste, uncultivated and submerged lands, and excavations which do not yield any profit. Assessment on such unproductive lands would be an unjust imposition —an extortion without parallel in any civilised government.

Sir, the time at my disposal being limited, I cannot give you large number of instances to demonstrate the monstrous nature of assessments made. But I cannot refrain from mentioning just one instance which will make the position clear. One raiyat (khatian No. 108) paying annual rent of Rs. 3-10 and cesses one anna nine pies has been assessed at Re. 1-15-3, *i.e.*, almost equal to the rent he pays and, 18 times the previous road cess.

In all such cases the parties either protested or filed petitions with court-fees, but they were generally rejected in a summary manner. In some cases, of course, the objecting party gets some concession but in such cases, the Revaluation Officer takes the party's consent in writing to his mode of valuation. The value of consent under such circumstances can be very easily imagined.

Sir, I ask the House to consider the colossal nature of injustice done by this grinding process. The Bardoli imposition fades away into insignificance when compared to this.

Sir, I am not a lawyer but I happen to be in humble possession of some land and claim to have common sense view of laws relating to land. As I understand it, the controversy centres round the imposition of cesses on lands in actual possession of raiyats holding lands cultivated through bargadars. Such raiyats should be regarded as cultivating raiyats within the definition laid down in the Cess Act. The present amending Act (IV of 1928) has defined raiyats to include persons cultivating their lands through servants or labourers (as opposed to hired servants of the old Act). Therefore, all these raiyats who do not cultivate by their own ploughs but through bargadars, *i.e.*, labourers or servants, should be considered as cultivating raiyats. Their cesses should be calculated on the rent payable by them to their landlords.

As regards imposition of cesses on unproductive lands such as mathials, jungles, etc., rule 58 of the Cess Act is a sufficient guide.

Sir, I have no time to dwell on some of the irregularities of procedure or on the harassing nature of the whole transactions. What I have already stated will be, I hope, sufficient to convince the House as to the enormity of the injustice done. I appeal to the House to condemn the action of the Government in setting up an engine of oppression which is bound to spell ruin and disaster to the millions of our fellow countrymen.

With these words, Sir, I beg to move this motion for the acceptance of the House.

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, it is true that in the district of Pabna and in some other districts, there has been a large increase in cesses. But the reasons for the large increase in cesses are mostly not the reasons stated by the mover; there are other reasons, for example, where a record-of-rights has taken place, it is no longer possible for the landlords to file a return the truth of which cannot be ascertained; or in other words, where the record-of-rights has taken place, the Cess Revaluation Officer is in a position to know all about a particular estate and that is a fruitful reason for increasing the cesses. Another reason is the reclamation of waste and char lands. The income of the zamindars is increased by the reclamation of these lands and it is but fair that they should pay an increased cess. Another reason for the increase is the formation of new diara estates. Then again new *niskar* lands are brought to light by means of a record-of-rights. As a result of settlement operations, the true areas of land are ascertained and where there is an increase due to increase in area, that increase is available for cesses at the rate for the increased area. There is also an increase in the number of cess tenures, as a result of settlement operations which, under the previous valuation, was treated

as lands of cultivating raiyats and it is to some cases under this last-mentioned head that the remarks of my friend, Babu Jogendra Nath Moitra, may apply, namely, the case of bargadars. As regards bargadars, it is well known that merely because the expression bargadar has been used, it does not follow that that individual is not a tenant. He may be a tenant or he may be a labourer. Where he is a tenant under section 4 of the Cess Act, he will come under the definition of a "cultivating raiyat." A cultivating raiyat is a person cultivating the land and paying rent therefor not exceeding Rs. 100 per annum. A part of section 4 lays down—"The annual value of any land, estate, or tenure means the total rent which is payable, or if no rent is actually payable, it would be payable during the year by all the cultivating raiyats of such land, estate or tenure or by other persons in the actual use or occupation thereof." Now that being the position with regard to the bargadar who is an actual raiyat, it does not seem, if assessment has been made on that basis, the assessment would be anything but quite legal. On the other hand if a bargadar is not an actual cultivating raiyat but is a labourer, it is open to the parties affected to move against an assessment which is illegal or unjust. Since the receipt of the notice of this motion we made enquiries, and I find from the letter of the Collector of Pabna that a very large number of gentlemen of position of that place accepted in writing the revaluation of barga lands. Among the parties who accepted in writing the revaluation of barga lands were Khan Bahadur Wasimuddin Ahmed, who, I understand, was the Chairman of the District Board, Maulvi Abdul Gaffur, Babu Rebatimohan Sarker, President, Hindu Mahasabha, Babu Radhagobinda Das and others (altogether about 395 gentlemen consisting of zamindars, pleaders and other men of position). (Interruptions from Srijut Jogendra Nath Moitra.)

12-15 p.m.

If that was the case, then, if properly analysed, it follows that they got some benefit, and 395 gentlemen of that particular district—gentlemen occupying good position in society—have accepted the system of valuation that has been criticised by the mover then in that district there is perhaps not much legitimate ground for complaint. But my friend has mentioned one case which seems to be a case of very high assessment, *viz.*, 18 times the previous valuation. I have not the particulars of the case before me, but I promise that I shall enquire into the matter and if the law permits of any relief being granted, I shall certainly see what I can do in the matter. But if the gentlemen affected have already accepted the system of barga assessment, which this particular officer followed, I do not think that the proper method of upsetting it is by moving a token cut in the budget. The proper course would be for the gentlemen affected to prefer appeals.

If those gentlemen have not appealed, then there seems to be hardly any ground for complaint. But if there is any instance of high assessment the matter may be brought to the notice of the Government or the Board of Revenue. About this particular matter, however, I promise that I shall look into it to see if any illegality was committed or any action taken without jurisdiction.

Srijut JOGENDRA NATH MOITRA: If the Hon'ble Member promises to enquire into the legal aspect of the question, and, if possible to remedy the defects, I shall not press my motion.

The Hon'ble Sir PROVASH CHUNDER MITTER: What I did promise was to enquire into this matter and also to examine the legal aspect of the question in order to see if any relief could be given and nothing further.

Mr. PRESIDENT: Mr. Moitra, if you want to withdraw the motion, you will have to do it without any condition. So, please make up your mind whether you will or will not withdraw it.

Srijut JOGENDRA NATH MOITRA: After the statement of the Hon'ble Member in charge, I do not wish to press the motion.

The motion was then, by leave of the Council, withdrawn.

Rai SATYENDRA NATH ROY CHOUDHURI Bahadur: I beg to move that the demand of Rs. 1,000 under the head "5A.—Charges of Administration—Road-Cess Valuation and Revaluation Establishment" be reduced by Re. 1 (to discuss the harassing nature of it).

Sir, revaluation is itself harassing to landlords and tenants. It is still more distressing if it is constantly repeated. Let me first of all explain to the House. Sir, what this process of revaluation means. If there are 18 grades of tenancies between proprietor and the tillers of the soil, everyone shall have to file cess return. Nay this is not all. First of all the proprietor will submit his return; if there are sub-divided co-sharers of the next grade each of them will submit separate return and every tenant under him shall have to submit separate returns for his one jama in proportion to landlord's share. Thus ultimately one tenant may be required to file 20 papers for one jama and how this return is to be filled. There is a special form consisting of four parts which are to be filled up. Majority of the Bengal tenants are illiterate or not sufficiently educated to fill up these, striking out the proportions. So they are to take help of the experts on remuneration and then comes the bujharat. It is easy to imagine the expense and trouble to which the proprietor and the tenure-holders and tenants are put. So I say repetition of this at the interval of certain years is a very great hardship.

In many districts of Bengal settlement records have been prepared, and revaluation has been based on those papers which has greatly saved trouble of the public. If those estates are again revalued and road cess returns are called on the ground that settlement operations took place some years ago people are unnecessarily harassed and put to expense. This should be discouraged and deprecated.

To protest against this constant repetition of revaluation proceedings, I have brought this motion of token cut and I move the motion that stands in my name.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, in connection with this motion may I speak a few words? There seems to be a considerable amount of misapprehension as to the reason why there is harassment so far as revaluation proceedings are concerned. In connection with the Primary Education Bill some of us had to deal with the operations of the Cess Act in order to see its effect on the tenantry of Bengal, and we came to the conclusion, as a result of expert advice and also after a detailed examination of the Act, that the real reason lay in the Act itself, and if my friends say that the harassment is due to the operations of the Act by the officers, I would say that it is not due to them, but it is due to the nature of the Act. The Hon'ble Member-in-charge has just now said that there is a right of appeal. Personally, Sir, I have been through a period of revaluation assessment and I say that I have not been able to understand the procedure or the form in which the Bengal tenants are asked to submit the returns. The real trouble lies in the Act itself and the rules framed thereunder. If the Hon'ble Member will look up the Cess Act and examine the legal aspect of the question, as he just now promised, he will at once come to the conclusion that there is a considerable amount of hardship, not so much I believe on the landlord nor on the tenants, but on the middle class as defined under the Cess Act. I do not mean the actual middle class but that class which is supposed to be the creation of the Cess Act. I hope the Hon'ble Member will look up this aspect of the question so that there may not be any hardship to the people of Bengal.

Srijut NAGENDRA NATH SEN: I would venture to say that the levy of road cess is an act of breach of faith on the part of Government after the promulgation of the Permanent Settlement in Bengal. This is an old story and I do not want to go into the history of this legislation. The question before the House is that in the matter of valuation and revaluation of cess the officers of Government should be asked to work in a manner which will be the least oppressive to the

people. It is perfectly well known that the definition of cultivating raiyat and tenure-holder in the Cess Act is not the same as in the Bengal Tenancy Act. Ordinary people accustomed to use the Bengal Tenancy Act know what a raiyat or a tenure-holder is, but when people are asked to submit road cess returns, they are confronted with a new definition of cultivating raiyat and tenure-holder; so it is necessary for them, in order to escape from the clutches of the underlings of the department, to take the help of some expert for the purpose of filling up correctly the road cess returns. The Hon'ble Member-in-charge was just now pleased to state that the heavy amount of assessment in certain cases was due not to the bad working of the Road Cess Act, but because of the discovery of *nuskar* lands after the conclusion of the survey and settlement operations and the record-of-rights operations. I would respectfully submit to the Hon'ble Member that the operation of Chapter X of the Bengal Tenancy Act in Bengal is not a new affair. It was during the time of Sir Nicholas Beatson-Bell that survey and settlement operations were on a much bigger scale undertaken in the Bakarganj district. It was under Mr. Jack that survey and settlement operations were begun in the district of Faridpur more than a quarter of a century ago. I would respectfully ask the Hon'ble Member in charge of the Land Revenue Department whether after those operations had been concluded in those districts the road cess had been doubled or trebled, as has been the case in Pabna, Jessore, and perhaps what is going to be in Khulna. The question which concerns the public is not that Government should be asked to encourage the concealment of properties so as to cause a diminution in Government cess, but the question is whether the Act should be put into operation with the least rigour and with some sympathy—whether sympathy should not be the keynote of the administration of this Act? The tenant has got to pay something and it is a matter for consideration whether they should not be made to pay that something in a manner in which they would feel the stings of assessment less sharply than would otherwise be the case. First of all, I would say that with regard to the *khamar* lands there is great difficulty. It is stated that the Divisional Commissioner issues certain rules according to which these lands should be valued and the annual value of these lands should be put. When these rules were promulgated the public were not taken into confidence—not that they are ever taken into confidence with regard to any matter. As to the probable annual value of an acre of land in each thana or subdivision, or in a particular dihi, the superior Revenue Officers rely on their underlings—the Kanungo, Sub-Deputy Collector, or Deputy Collector—who, unmindful of the real state of things, supply indefinite data and the superior officers act on those data. They turn a deaf ear whenever any complaints are made. Before valuation or revaluation of a particular area is undertaken the people should be taken into confidence through the District

Boards, or the Local Boards, or the Union Boards, which have got to spend the road cess which is collected. As regards the method under which revaluation should be made or the annual value on which an acre of land should be assessed for the purpose of road cess valuation there should be some publicity and the people should be taken into confidence.

12-30 p.m.

Nothing should be done in secret so that room for complaint should be as little as possible.

Then as regards the publication of the valuation roll, everybody who lives in the mufassal knows that it is in the nature of a farce. Nobody ever knows before the statutory period has elapsed that he has been assessed for a particular value or for a particular time, and when the time has expired, he is suddenly pounced upon and a demand is made to him. If he puts in any objection, the peon's return is placed before him to show that the notice was given. If the serving peon is a Hindu, his word is taken as *Veda Bakya* and if the serving peon is a Muhammadan, it is taken as *Koran*, and there is no deviation made, because the process-serving peon is incapable of telling any lies. In this way poor people's objections are frittered away and they have absolutely no chance of speaking and of having their grievances remedied. Under these circumstances I think we should adopt the resolution moved by Rai Satyendra Nath Roy Choudhuri Bahadur.

Mr. W. H. THOMPSON: Mr. President, Sir, I claim to speak as an expert on this matter, because I think I am probably the only member of this House who has ever carried out the cess revaluation of a district. I only want to explain two points. First, the point raised by my friend here that under the Cess Act the small tenure-holder is the person who is treated in the most summary manner. Now, Sir, that is so when there is no record-of-right. When there is no record-of-right and the landlord files a return and that return shows a tenure paying rent to the landord less than Rs. 5, the Cess Valuation Officer can assess the tenure on three times the rent, namely Rs. 15; that is a summary procedure and is very hard. When there is a record-of-right, that summary valuation is wiped out completely. The full details of the landlord's *stith*—I use a settlement word which is probably understood here—and the *stith* of every tenure-holder are on the khatians and obtainable from the khatians, and the tenure-holder, instead of being summarily assessed at three times the rent, is always assessed on the basis of the record-of-rights, on his actual collections.

One other point, Sir. The last speaker suggested that the underlings of the department settled what rate should be charged as the valuation for lands, such as *khamar* and *khas* and lands in which the bargadar is not a tenant. It is not so. The officer in charge determines this important point. I settled myself by working out the average raiyat's rent on the settlement records. I think in the Noakhali district we took Rs. 3-2 per acre as the valuation and put that valuation on all the *khas* lands.

The Hon'ble Sir PROVASH CHUNDER MITTER: The grievance of Rai Satyendra Nath Roy Choudhuri Bahadur is that the cess revaluations are harassing to the landlords as well as to the tenants. Well, if that is a grievance, it is in the Act itself. Cess valuations take place at stated periods and I can well sympathise with him. Any increase in the payment of taxation is never a pleasing process, whether it be of income-tax or a tax of any other shape or form. The Act is there and it is for the Revenue Department to administer that Act. Now, under the Act, as has been explained by Mr. Thompson very lucidly, there is hardly much chance of the Valuation Officer going wrong where there has been a record-of-right. Where there has been no record-of-right, the Cess Valuation Officer can value summarily in certain cases under section 29 of the Act, and he can take twice the rent as the valuation. But where there is a record-of-right and in the vast majority of cases in which there is such a record, these cases come under Part I of the Act. It is only in cases which come under Part I or where there is a dispute as to whether it should come under Part I, or where the holder is a bargadar, and the question is if the holder is a raiyat or not a raiyat and if latter then whether the land is held *khas* by him then difficulties may arise. If, on the other hand, he is a raiyat, he comes within the definition of a "cultivating raiyat." It is only in limited cases which come under Part I that the question of assessment really arises, and even in such cases as the Valuation Officer has the benefit of knowing the rent of the entire neighbourhood from the record-of-rights, it is not likely that he will go wrong. If he goes wrong, it is quite possible to get his error rectified by an appeal, for under section 4 the definition of annual value is this: "Annual value of any land, estate or tenure means the total rent which is payable, or if no rent is actually payable, would, on a reasonable assessment, be payable during the year by all the cultivating raiyats of such land, estate or tenure, or by other persons in the actual use and occupation thereof." Therefore, it is a question of evidence, and when there is a record-of-rights, the evidence of the rentals of the neighbourhood is easily available.

There is good deal in what Khan Bahadur Azizul Haque has said, namely, the defect in the framing of the Act. Well, this is an Act

which came into force long before the Bengal Tenancy Act of 1885 came into force, and what was contemplated by the framers of the Act was contemplated at a time when the Collector and his staff could not have much knowledge of the internal position of a *tauzi*. That may be a good argument for amending the Act. Without making any hasty promise, I may inform the House that recently in connection with a memorial which came from a certain district, it was necessary for me to go into the matter very closely; and the matter struck me in the same way as it struck Khan Bahadur Azizul Haque. For example, Sir, under the Cess Act we have such a thing as the assessment of a "cess-tenure." Under the Bengal Tenancy Act perhaps the necessity to assess a cess tenure on a basis different from an ordinary tenure is open to legitimate argument. But my point for the purpose of discussing the present motion is that beyond drawing attention to certain real or supposed hardships no good purpose will be served by voting upon this cut, because it is quite clear, some of the speakers themselves have made it clear, if there is any difficulty, the difficulty lies in the Act. In regard to the administration of the Act, at any rate so far as the Government is concerned, nothing has been alleged. Therefore, the object of the cut disappears.

Babu Nagendra Nath Sen has said that the officers of Government should be asked to act with more sympathy. If Babu Nagendra Nath Sen will really analyse his suggestion he will see that it cannot really mean anything. We can only ask our officers to administer the Act according to the provisions of the Act and according to the rules framed under the Act. A particular officer on the evidence before him may come to one conclusion; another officer may come to another conclusion, just as two Judges dealing with the same facts may come to different conclusions, and an appeal court may come to a third conclusion. At any rate, beyond asking the officers of Government to administer the Act according to the provisions of the Act and the rules made thereunder, Government cannot go any further.

Babu Nagendra Nath Sen has also said that Cess Revaluation Officers are bent on increasing the cess and the record-of-rights is not really responsible for such increases, and he has referred me to the case of Barisal and Faridpur settlements. Well, it is not necessary for me to enquire into what took place 20 or 25 years ago. I know in the recent cess revaluations made in Pabna and Nadia the cess revenue has increased and increased very largely. On a careful perusal of the reports of the Cess Revaluation Officers and of the Collectors of these districts I have little hesitation in coming to the conclusion that as it is possible to know from the record-of-rights about the internal affairs of a *tauzi* and the person who submits a return can no longer deceive to the same extent that he could previously that a good portion of the increased cess is due.

Sir, lastly, I would remind the House that the increased income does not go to the coffers of the Government; it goes for the benefit of the rural areas and of the teeming masses on whose behalf so many eloquent speeches have been made in this House, so if individual zamindars have to suffer, it should be borne in mind that they have to suffer for the good of their poorer neighbours in the district.

The motion of Rai Satyendra Nath Roy Choudhuri Bahadur was then put and lost.

Maulvi ABUL KASEM: Sir, I beg to draw your attention to the fact that No. 9 and the next one are on similar lines.

The following motion was called but not moved:—

" Maulvi TAMIZUDDIN KHAN: That the demand of Rs. 6,14,000 under the head '5A.—Charges of Administration' be reduced by Rs. 100."

Srijut RADHA GOBINDA RAY: I beg to move that the demand of Rs. 6,14,000 under the head "5A.—Charges of Administration" be reduced by Re. 1 (to raise a discussion on the general policy and administration of the Department).

Sir, when I examine the budget figures of the Bengal Government, one serious question repeatedly arises in my mind—whether the theory "people's money" is not a delightful "fraud." The English people born and brought up under an atmosphere of freedom have brought with them some words and phrases which have a real significance in their native country, but become really hypercritical when they are intended to be applied to this cursed country of ours———

The Hon'ble Sir PROVASH CHUNDER MITTER: May I rise on a point of order? The motion before the House is that the demand of Rs. 6,14,000 under the head "5A.—Charges of Administration" be reduced by Re. 1 in order to raise a discussion on the general policy and administration of the department. If you turn to page 27, you will find that the total amount under "5A" is Rs. 6,14,000, and I submit, Sir, that the mover should strictly confine to the items found under that head. The items found under that head are of Land Acquisition establishments (top of page 28), Survey establishment (page 29, top), Partition establishment (page 29), the Record establishment (page 30), Wards Estate establishment (page 30), Kanungo establishment (page 31), and Road Cess establishment (page 32). That's all. So the general discussion on the general policy and administration of Government is not relevant on this motion; it is only those heads under which Rs. 6,14,000 has been provided that can be discussed.

Mr. PRESIDENT: I always ask the members when giving notice of motions for token cuts to give their reasons and it is always desirable that I should see that in each case the member concerned confines himself to the reasons stated by him. In the present case, the member wanted to discuss the general policy and administration of the department. I think, therefore, that he is entitled to discuss the general policy of the department in regard to this head. His reasons are somewhat more elastic than you imply.

The Hon'ble Sir PROVASH CHUNDER MITTER: That is the point I am submitting and I am afraid I have been misunderstood. My point of order is this: The hon'ble member is certainly entitled to discuss the general reasons but he is not entitled to discuss matters which do not come under " 5A " for which he has moved a cut. I am not raising the point, that if a member does not give specific reasons he cannot discuss the general policy. My present point is that he can only discuss " 5A " and I raise the point to save the time of the Council. There are other amendments on which a general discussion on the whole demand can be allowed, but now he can only discuss those items which come under the head Rs. 6,14,000; for example, later on you will find that there are amendments under which the whole thing can be discussed.

Mr. PRESIDENT: As I have already stated in regard to a motion for token cut, I am chiefly guided by the reasons that a member states when I consider the admissibility of the motion and although I do not remember any specific instances, I know there are instances in which a member gave notice of a motion for a token cut on a particular item but he actually discussed the general policy of the department concerned when the reasons given by him and accepted by the Chair, while admitting his motion, were elastic enough.

The Hon'ble Sir PROVASH CHUNDER MITTER: I am not objecting on that ground at all. My point is: take for example item 16; on item 16 all these arguments can be repeated. I am not shirking a discussion, all that I am asking for is that it will save the time of the House if the discussion be confined to this particular demand. Perhaps the member himself will agree with me———

Mr. PRESIDENT: Order, order. You are perfectly right when you say that in a subsequent motion the whole question can be discussed, but it is rather difficult for me to restrict a particular speaker merely on that ground; but there may not be any difficulty at all. He perhaps wishes to discuss the general policy and the administration of the department in so far as they are relevant to the head of expenditure that he is attacking.

The Hon'ble Sir PROVASH CHUNDER MITTER: I do not question that. Perhaps I have not been able to make myself clear even now. My point is that whatever point the mover brings in it must be within the present demand of Rs. 6,14,000 and not within the entire demand of Rs. 44 lakhs.

Srijut RADHA GOBINDA RAY: I shall confine myself to that.

Can any sane man acquainted with the real economic condition of the people of Bengal seriously think that the "people's money" can be spent in a way proposed to be spent in the Budget Estimates? I earnestly request the elected members of this Council to make one more serious attempt to bring home to the bureaucracy that they, that is, the elected members, cannot and should not be a willing party to this unheard of injustice done to our people every year under the sham show of constitutional procedure. Sir, in the demand of Rs. 6,14,000 under the head "5A.—Charges of Administration" the very first thing that arrests our attention is the extraordinary salary of Rs. 26·50 and less—how much less we are not given to understand in the budget figures—given to "9.—Land Acquisition Officers." This small sum cannot meet the necessities of these officers. They are given house rent allowance, travelling allowance, and cost of passage under Civil Service Regulations from the coffers of Government in order to carry out the extraordinary duty of acquiring land for several purposes in this province with the aid of expert officials, numbering 44. These poor officers who perform the bulk of the duties of this department get allowances with which they can scarcely manage to live.

One of the greatest anomalies of the administration to which I beg to draw the pointed attention of my fellow councillors is the extraordinary difference, between the pay and prospects of the clerks, who, by the way, are now-a-days all highly educated, and their departmental heads. Difference there must be, but by no show of reason can you justify such unnatural gulf—such marked difference. Practically speaking, the major portion of the work is done by this hated and neglected band of poor officials, and the departmental heads—of course there are a certain number of honourable exceptions—are in many cases so many figure-heads, given to luxury and enjoyment and do not care to exert themselves in spite of their capacities. In the Certificate establishment there are 64 clerks drawing Rs. 77 and less; in the Partition establishment there are 9 clerks drawing Rs. 88 and less; in the Wards Estate establishment there are 34 clerks drawing Rs. 150 and less; in the Kanungo establishment there are 54 subordinates drawing Rs. 110 and less. These officers—most of them hated natives—actually carry on the administration of all these departments but they are given almost starving wages. Had there been systematic retrenchment and the money saved would have been spent to meet the urgent needs of the province,

such as health, education, industry, agriculture, irrigation, this band of poor clerks ought to have been satisfied with their present pay, but extreme extravagance on one side and crude miserliness on the other brings about discontent, class inferiority and many other malpractices—which we all know very well—and which are disastrous to the growth of harmonious development of individuality and sociality.

I know, Sir, that this, my pleading, will not create a single wave, nay, a ripple, in the minds of official heads, yet I must sound a note of warning and appeal to the officers, stone-hearted though they be, to do away with the anomalies slowly and gradually. With these words I move the motion tabled in my name.

Maulvi ABUL KASEM: I rise to support the motion of my friend although not on the actual grounds he has put forward in his speech. The fact remains, Sir, that the administration of the Land Revenue Department is carried on in an exceedingly extravagant manner. Some years ago the Retrenchment Committee presided over by Sir Rajendra Nath Mookerjee made its recommendations which have not yet been carried out by Government nor have Government come forward with any cogent reasons for not doing so. In the Land Revenue administration there are the Collector, the Divisional Commissioner and the Member of the Board of Revenue who is one of the most senior members of the Indian Civil Service———

The Hon'ble Sir PROVASH CHUNDER MITTER: I rise to a point of order. The Collector, the Commissioner and the Member of the Board of Revenue do not come under this head at all. They can come in under the head "General Administration."

Maulvi ABUL KASEM: I only said that these people are there, not that I question their existence.

Mr. PRESIDENT: The Hon'ble Revenue Member is quite right in his point of order. You cannot go beyond the limits of the motion under discussion.

Maulvi ABUL KASEM: I object to the Revenue Secretary———

The Hon'ble Sir PROVASH CHUNDER MITTER: The Revenue Secretary too does not come under the head "5A—Charges of Administration."

Maulvi ABUL KASEM: If the Revenue Secretary does not come under "Land Revenue" then I have nothing to say.

The Hon'ble Sir PROVASH CHUNDER MITTER: Babu Radha Gobinda Ray has mentioned that the department is extravagant and that we pay too much in the way of salary of high officials—the Land Acquisition Officer. That is how I followed him. If the hon'ble members will turn to page 28 they will find that the total demand for Land Acquisition establishment is Rs. 2,95,000 and out of this the non-voted amount is only Rs. 31,000 and there is only one non-voted officer whose salary is given at page 28. About the non-voted officer the Council has no power. Therefore I submit it is hardly fair to deal with that. Even if the Council had power to deal with non-voted officers I submit that if the members will turn to page 28 they will find that out of Rs. 6,14,000 only Rs. 54,000 is non-voted so that in this department at any rate higher officers are few. The bulk of the officers are Sub-Deputy Collectors, Kanungos, clerks and so on. Babu Radha Gobinda Ray said why should not clerks be paid more and that he would have been content with the same pay of the clerks if out of the pay of the highly paid officer some money could be spared for sanitation and so on. If Rs. 54,000, the salary of the highly paid officer, were spent on sanitation, etc., then considering that the deficit of the Government of Bengal is over Rs. 50 lakhs, the amount would cover only a small part of it. That being so, the whole argument fails. On his own argument the clerks and Kanungoes are not highly paid but their salary is really what we are asking for and on this ground I submit that the reason put forward by the mover of the motion ought not to be accepted. It is a department in which the figures will show that every effort is made to keep down expenditure. As I have said in my opening remarks, this year the total expenditure is less than that of last year.

1 p.m.

The motion of Srijut Radha Gobinda Ray was then put and a division taken with the following result:—

AYES.

Ahamad, Maulvi Asimuddin.
Bagchi, Babu Romes Chandra.
Banerjea, Babu Promotha Nath.
Bannerjea, Babu Jitendralal.
Basu, Mr. P. C.
Bose, Babu Bejoy Krishna.
Bose, Mr. S. C.
Bose, Mr. Subhas Chandra.
Chakravarti, Babu Jogindra Chandra.
Chatterjea, Srijut Bijay Kumar.
Chaudhuri, Maulvi Nurul Huq.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dutt, Babu Saral Kumar.
Gangnuly, Babu Khagendra Nath.
Ghose, Babu Amarendra Nath.
Gupta, Mr. Jogesh Chandra.
Maiti, Babu Mahendra Nath.
Moitra, Srijut Jogendra Nath.
Mukerjea, Srijut Taraknath.
Naskar, Babu Nem Chandra.
Pal Choudhuri, Mr. Ranjit.
Rahman, Maulvi Azizur.
Rahman, Maulvi Shamsur-.
Ray, Dr. Kumud Sankar.
Ray, Srijut Radha Gobinda.
Roy, Dr. Bidhan Chandra.
Roy, Mr. Kiran Sankar.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarkar, Babu Nalinirnjan.
Sen, Srijut Nagendra Nath.
Sen Gupta, Mr. J. M.

NOES.

Acharjya Chaudhuri, Maharaja Shashi Kanta.
Addams-Williams, Mr. C.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Blair, Mr. J. R.
Casselis, Mr. A.
Chaudhuri, Khan Bahadur Maulvi Hafizar Rahman.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Cohen, Mr. D. J.
Dash, Mr. A. J.
Drummond, Mr. J. G.
Forrester, Mr. J. Campbell.
Ghosh Maulik, Mr. Satyendra Chandra.
Goenka, Rai Bahadur Badridas.
Habibullah, Nawab Khwaja.
Haque, Khan Bahadur Maulvi Azizul.
Hogg, Mr. G. P.
Hossain, Nawab Musharruf Khan Bahadur.
Hussain, Maulvi Latafat.
Jenkins, Dr. W. A.
Laird, Mr. R. S.
Marr, the Hon'ble Mr. A.
McCluskie, Mr. E. T.
Mitter, the Hon'ble Sir Provash Chunder
Moberly, the Hon'ble Mr. A. N.
Mukerji, Mr. S. C.
Philpot, Mr. H. C. V.
Prentice, Mr. W. D. R.
Ray, Babu Surendra Nath.
Ray Chaudhuri, Mr. K. C.
Ray, Mr. Bijoy Prasad Singh.
Sarker, Rai Sahib Rebati Mohan.
Shah, Mr. Ghulam Hossain.
Sinha, Raja Bahadur Bhupendra Narayan.
Stapleton, Mr. H. E.
Tate, Major General Godfrey.
Thompson, Mr. W. N.
Travers, Mr. W. L.
Wordsworth, Mr. W. C.

The Ayes being 32 and the Noes 39, the motion was lost.

Rai SATYENDRA NATH ROY CHOUDHURI Bahadur: I beg to move that the demand of Rs. 2,58,000 under the head "5B.—Management of Government Estates—Colonisation of Sundarbans" be reduced by Re. 1 (to discuss the unfair distribution of land and the defect in settlement).

Sir, in answer to my starred question No. 81 on the 25th August, 1927, the Hon'ble Revenue Member was pleased to state that in the district of Bakarganj from 1922-26, 18,283·85 acres of Government land was leased out to the Muhammadans, 4,783,39 acres to Hindus, 530·76 acres to Government officials and only 478·05 acres was leased out to unemployed educated young men of the middle class. The figures will speak for themselves. These Government lands are lands in colonisation areas and the *khas* lands of Government which formed in the bed of big tidal rivers. The inequities of distribution is apparrent from figures themselves, and the people of Bakarganj know very well how this preferential treatment was made. This was due to the personnel of the Colonisation Officers and to a certain extent of Khasmahal Officers of Bakarganj during this period. This was not all. It is reported that one of the Colonisation Officers gave almost all contracts in the colonisation area to his relatives of his own district and some posts were given to his relations. When I put this matter to the Hon'ble Revenue Member in a supplementary question to starred question No. 53 of August, 1927, the Hon'ble Revenue Member evaded the answer by saying "there is another question on this subject and I would rather not answer this at the present moment." As a matter of fact, the Hon'ble Revenue Member never answered the supplementary

question. I can well imagine the reason why it was evaded. There was something rotten there, and the Government did not like the exposure.

The inequitous distribution of lands in the colonisation area of Bakarganj has caused great discontent in the district, specially amongst the depressed cultivating classes whose applications for lands were constantly rejected on frivolous grounds.

The lands leased out to unemployed educated young men is very small in comparison. It has been said that some of them left the lands. Is it not a fact that those lands and the lands given to the non-agriculturists were mostly given to sycophants and spies who assumed themselves as loyal co-operators for their own ends during the last non-co-operation movement and after that?

If unemployed educated young men are willing to take themselves to agriculture, why the Government should not encourage it and try to solve one of the difficult economic problems at least partially?

When lands in colonisation area are leased out to persons who reclaim it, it is understood that they would be able to enjoy it from generation to generation, but the slipshod way in which it is done renders it sometimes impossible when he dies, and his heirs are dispossessed. In the leases only the *dags* or plot numbers of colonisation map are given without any definite boundaries. In case of dispossession when the identity of land is required, the colonisation map is not found in the record room as it is not kept in the Collectorate record room, and if it is somehow destroyed either accidentally or through the instrumentality of some interested party, everything disappears and the land acquired with so much labour and expense is gone. Again the map is not a public document as the Colonisation Officer or his subordinate who prepares it does it as an officer of Government in the private capacity of a zamindar, and it sometimes becomes impossible to produce the maker of the map to prove it.

It is regrettable that the acts done by the Government as zamindar is done in a perfunctory way and no security is guaranteed under it.

Mr. JOGESH CHANDRA GUPTA: Mr. President, Sir, I beg to support the motion of Rai Satyendra Nath Roy Choudhuri Bahadur. Sir, it is a case of common complaint that there is a good deal of unrest and discontent because many of our young men—why young men only—many inhabitants of this province cannot find any means to earn a living. We all know that in Western countries where they have got civilised governments, they consider it a duty to find employment and to save people from starvation. We all know there is a national system of dole which is given out of the public revenues to people who cannot find employment. I know it is idle for us to expect that our Government here will adopt any such principle of finding some

means for preventing starvation amongst the people committed to its care. The word colonisation also carries with it the idea that is prevalent in other countries. People who cannot find any employment are provided with some lands or some sort of employment in order to solve their bread problem. I, therefore, say that the Government here, who always complain that they have not got sufficient funds at their disposal to tackle this problem, ought to follow a consistent policy of providing the unemployed people, the landless people, people who would be able to earn a living, honest living, by settling them in the Sundarbans or other areas with adequate quantity of land. I am pleading for educated young men for this reason—we do want to have improved agriculture, we do want people to take to agriculture who will be able to read bulletins of the Agriculture Department or read the literature by which they will be able to improve agriculture, cattle-breeding and all such kinds of things. If we attract people, educated young men, to land, then that purpose will be served. I, therefore, support this proposal, and I ask the Government to seriously consider whether in future they will not follow the policy of settling lands with people who will be able to introduce improved methods of agriculture and thereby will be able to decrease the hunger or discontent.

With these words I support the motion of Rai Satyendra Nath Roy Choudhuri Bahadur.

1-15 p.m.

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, a number of points have been raised, and I would take the last point mentioned by Mr. J. C. Gupta and Rai Satyendra Nath Roy Choudhuri Bahadur first. If I had notice about this point of leasing out lands to unemployed *bhadralog* young men, I am sure I could explain the position in a better manner, but speaking from memory I may say that Mr. Jack in his Settlement Report of the Bakarganj district brought this question to the notice of Government and about the year 1919 some orders of the Government of India were passed for making suitable provisions for settling lands with *bhadralog* youths. I cannot give the particulars now. Later on Mr. J. N. Gupta, late Member of the Board of Revenue, a few months ago asked for definite instructions on this matter. I am speaking from memory, but I think some specific instructions were given. Then there was in Faridpur a scheme known as Burrows scheme, under which lands were leased out to *bhadralogs* for cultivation, but I cannot give much particulars about that scheme from memory. So far as I know, there is nothing in the rules which prevents *bhadralog* young men from taking lands, but the difficulty is that they are not very keen in taking settlements as cultivators. If this was a specific point which my friends wanted to raise,

it would have helped me and the House if they had mentioned it before. So far as this is concerned, I am prepared to look into the matter.

As regards the point raised by Rai Satyendra Nath Roy Choudhuri Bahadur, that more lands are settled with Muhammadans than with Hindus, I wish that as a Nationalist he had not brought forward this point. Are the Muhammadans to be debarred from taking lands because of their creed? Therefore I would ask my hon'ble friend, Rai Satyendra Nath Roy Choudhuri Bahadur, not to press that point.

As regards the other points mentioned by him, those were matters which took place in 1927. I was not then in charge of the department and I have no personal knowledge of what happened in 1927. Just now I had a glance at the file and I see that adequate steps were taken then.

As regards the point—the only important point—of allowing *bhadralog* youths to have settlement of lands, I can give the assurance that I shall look into the matter. Under the present rules *bhadralog* youths are allowed to take settlement, but they are always reluctant to come forward as cultivating raiyats. I hope that after my assurance the hon'ble member will withdraw the motion.

Rai SATYENDRA NATH ROY CHOUDHURI Bahadur: On a point of personal explanation, Sir. I did not complain about the distribution of lands to Muhammadans. My point was that applications of educated unemployed young men for settlement of land were rejected on frivolous grounds, and lands were given to spies who posed as co-operators during the non-co-operation movement.

The Hon'ble Sir PROVASH CHUNDER MITTER: That may or may not be so, but he also raised the point of unfair distribution of lands to the Muhammadans and he referred to the question which was sought to be asked in this Council on the subject.

The motion of Rai Satyendra Nath Roy Choudhuri Bahadur was then put and a division taken with the following result:—

AYES.

Bagchi, Babu Romes Chandra.
Banerjee, Babu Promotha Nath.
Bannerjea, Babu Jitendralal.
Basu, Mr. P. C.
Bose, Babu Bejoy Krishna.
Bose, Mr. S. C.
Bose, Mr. Subhas Chandra.
Chakravarti, Babu Jogindra Chandra.
Chatterjee, Srijut Bijay Kumar.
Datta, Babu Akhil Chandra.
Dutt, Babu Saral Kumar.
Ganguly, Babu Khagendra Nath.
Ghose, Babu Amarendra Nath.
Gupta, Mr. Jogesh Chandra.
Maiti, Babu Mahendra Nath.
Maitra, Srijut Jogendra Nath.
Mazkar, Babu Hem Chandra.
Pal Choudhuri, Mr. Ranjit.
Ray, Dr. Kumud Sankar.
Ray, Srijut Radha Gobinda.
Roy, Mr. Kiran Sankar.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarkar, Babu Nalinirunjan.
Sen, Srijut Nagendra Nath.
Sen Gupta, Mr. J. M.

NOES.

Acharjya Chaudhuri, Maharaja Shashi Kanta.
Addams-Williams, Mr. C.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Blair, Mr. J. R.
Casselis, Mr. A.
Chaudhuri, Maulvi Nurul Huq.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, Cohen, Mr. D. J.
Dash, Mr. A. J.
Drummond, Mr. J. G.
Ghose, Mr. M. C.
Ghosh Maulik, Mr. Satyendra Chandra.
Goenka, Rai Bahadur Badridas.
Habibullah, Nawab Khwaja.
Haque, Khan Bahadur Maulvi Azizul.
Hogg, Mr. G. P.
Hossain, Nawab Musharruf, Khan Bahadur.
Hussain, Maulvi Latafat.
Jenkins, Dr. W. A.
Khan, Khan Sahib Maulvi Muazzam Ali Khan, Maulvi Tamizuddin.
Laird, Mr. R. B.
Marr, the Hon'ble Mr. A.
McCluskie, Mr. C. T.
Mitter, the Hon'ble Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. N.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Philpot, Mr. H. C. V.
Prentice, Mr. W. D. R.
Rahman, Maulvi Azizur.
Ray, Babu Surendra Nath.
Ray Chaudhuri, Mr. K. C.
Roy, Mr. Bijoy Prasad Singh.
Sarker, Rai Sahib Rebati Mohan.
Shah, Mr. Gholam Hossain.
Sinha, Raja Bahadur Bhupendra Narayan.
Solaiman, Maulvi Muhammad.
Stapleton, Mr. H. E.
Tate, Major General Godfrey.
Wordsworth, Mr. W. C.

The Ayes being 25 and the Noes 41, the motion was lost.

Mr. PRESIDENT: Maulvi Tamizuddin Khan, you were asked to give reasons as to why you gave notice of this token cut. I understand you have not stated your reasons.

Maulvi TAMIZUDDIN KHAN: When I sent notice of this motion I could not give reasons because I was in a hurry. I have since given some reasons to the Hon'ble Member-in-charge.

The Hon'ble Sir PROVASH CHUNDER MITTER: Not to me.

Maulvi TAMIZUDDIN KHAN: So far as this motion is concerned I have not given any reasons.

Mr. PRESIDENT: You can give your reasons now; but in future if reasons are not given at the time of tabling a motion I shall consider that motion to be incomplete.

Maulvi TAMIZUDDIN KHAN: I want to move this cut in order to draw attention to the grievances of the Muhammadan community that in many districts there is no provision for Muhammadans to say their prayers during court hours. There is no mosque——

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, this does not come within the purview of this demand.

Mr. PRESIDENT: Maulvi Saheb, you are out of order. You had better give your reasons in writing. You can rise in your place on Monday to move your motion and in the mean time you might give us the reasons which you have in view.

Adjournment.

The Council was then adjourned till 3 p.m., on Monday, the 18th March, 1929, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Monday, the 18th March, 1929, at 3 p.m.

Present:

The Hon'ble the President (the Hon'ble Raja MANMATHA NATH RAY CHAUDHURY, of Santosh), in the Chair, the four Hon'ble Members of the Executive Council, and 98 nominated and elected members.

Oath.

The following member made an oath of his allegiance to the Crown:—

MR. J. E. ORDISH.

Starred Questions

(to which oral answers were given).

Vending of excise shops.

*80. **Mr. S. C. MUKERJI:** (*a*) Will the Hon'ble Member in charge of the Department of Agriculture and Industries (Excise) be pleased to state whether it is a fact that a special list of selected candidates is prepared by the Collector of Excise from which selection is made to fill up vacancies in Calcutta excise shops?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state the names of those who were recorded in such special list of 1928 and also of those who were actually selected?

MEMBER in charge of DEPARTMENT of AGRICULTURE and INDUSTRIES (EXCISE) (the Hon'ble Mr. A. Marr): (*a*) A special list of candidates for excise licences is maintained by the Collector of Excise, Calcutta. In case of vacancies arising in licences, selection is made by the Collector from the above list, as well as from fresh applications, if any, from suitable candidates which might be received by him at the time the vacancy occurs.

(*b*) List I contains the names of candidates recorded in the special list in 1928-29 up to January, 1929.

List II contains the names of persons who were selected for vacant or new licences in 1928-29. Four of these were taken from the special list of 1923-24, 1926-27 and 1927-28, respectively.

Lists referred to in the reply to clause (b) of starred question No. 80.

LIST I.—Names in the special list of candidates for excise shops in Calcutta, 1928-29.

1. Benode Ch. Roy, plender, Mymensingh.
2. A. Rasul.
3. Prodyat K. Bose.
4. Sailendra Nath Bose.
5. Subodh K. Ghose.
6. R. P. Shaha.
7. Mritunjoy Sinha Roy.
8. Benoy Kr. Paramanick.
9. Amalendu Sen.
10. Phanindra N. Chatterjee.
11. R. N. Roy and Robindra N. Roy.
12. M. A. Somad and Yar Md. Ansari.
13. Ananta K. Sen.
14. B. Bhaduri.
15. Purnendu Narain Ghose.
16. Nalini B. Chatterjee.
17. Kazi Fazlar Karim.

LIST II.—Names of licencees with whom the excise and opium licences in Calcutta were settled in 1928-29.

1. G. W. Russell.
   Serriar Freedoon.
2. D. Shapoor.
3. Aching Chinaman.
4. Maulvi Zillur Rahman (Special List).
5. Bholanath Ghosh (Special List).
6. S. C. Chakraberty and Gopinath Shah (Mandal).
7. Bibhuti Bhusan Shah (Special List).
8. P. C. Sen.
9. P. K. Sen (Special List).
10. Purna Chandra Gossain.
11. J. Vaswani.

Mr. KIRAN SANKAR ROY: Will the Hon'ble Member be pleased to state the special qualifications required of candidates for this special list?

The Hon'ble Mr. A. MARR: The general fitness of the candidate is taken into consideration. No special qualifications are required.

Mr. KIRAN SANKAR ROY: Will the Hon'ble Member be pleased to state the full name of S. C. Chakraberty, No. 6 in List II?

The Hon'ble Mr. A. MARR: As far as I remember, it is Sailesh Chandra Chakraberty.

Mr. KIRAN SANKAR ROY: Will the Hon'ble Member be pleased to state if it is not Mr. Sailendra Nath Chakraberty of *Vote Ranga*?

The Hon'ble Mr. A. MARR: I understand it is the same person.

Mr. KIRAN SANKAR ROY: Will the Hon'ble Member be pleased to state what is the special qualification of this gentleman which entitles him to be entered in the list of excise shopholders?

The Hon'ble Mr. A. MARR: As I said before, Sir, no special qualifications are required.

Mr. S. C. MUKERJI: Will the Hon'ble Member be pleased to state whether the name of Gopinath Shah (No. 6, List II) was given in his application as in the list?

The Hon'ble Mr. A. MARR: I cannot say, Sir, without notice.

Mr. S. C. MUKERJI: Will the Hon'ble Member be pleased to state whether the address that was given by Gopinath Shah in his application is his own address?

The Hon'ble Mr. A. MARR: I cannot say, Sir, without notice.

Mr. S. C. MUKERJI: Will the Hon'ble Member be pleased to state whether Gopinath Shah actually concealed his own address and gave the address of his father-in-law as his own?

Mr. PRESIDENT: I do not allow that question.

Mr. D. N. ROY: Will the Hon'ble Member in charge of the Excise Department be pleased to inquire of the ex-Minister for Excise as to what are the qualifications of S. C. Chakraberty for holding an excise licence?

Mr. PRESIDENT: I do not allow that question.

Chandana river.

*81. **Dr. KUMUD SANKAR RAY:** (*a*) Will the Hon'ble Member in charge of the Department of Irrigation be pleased to state whether a survey was made of the river Chandana in the district of Faridpur with a view to find out the causes of the silting up of the river and to find out the means of making the river a flowing one?

(*b*) If so, when was the survey made?

(*c*) Has any report of the survey been submitted to Government?

(*d*) If so, when was the report submitted?

(*e*) If the answer to (*c*) is in the affirmative, will the Hon'ble Member be pleased to lay on the table a copy of the said report?

(*f*) Will the Hon'ble Member be pleased to state what steps, if any, have been taken to give effect to the recommendations contained in the report?

(*g*) If no steps have been taken, what are the reasons for not giving effect to the recommendations?

(*h*) Is it a fact that a memorial has been submitted to His Excellency the Governor by the people of the Rajbari subdivision in the district of Faridpur through the District Magistrate?

MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur, of Dhanbari): (*a*) Yes.

(*b*) In the flood seasons of 1927 and 1928.

(*c*) Yes.

(*d*) In October, 1928.

(*e*) A copy of the report is laid on the library table.

(*f*) and (*g*) The report and surveys have been examined by the Chief Engineer, who considers that before deciding on the improvement of the Arkandi Khal, it should be determined whether a better scheme would not be to connect the Chandana in its lower reaches with the Barasia river instead, thus flushing the latter river which is also in need of more water.

(*h*) Yes.

Dr. KUMUD SANKAR RAY: With reference to answers (*f*) and (*g*), will the Hon'ble Member in charge of Department of Irrigation be pleased to state what steps are being taken to determine whether a better scheme would not be to connect the Chandana in its lower reaches with the Barasia river?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: An enquiry will be made next monsoon, and the Chief Engineer, Irrigation Department, will make an inspection.

Dr. KUMUD SANKAR RAY: With reference to answer (*h*), will the Hon'ble Member be pleased to state whether the memorial has reached His Excellency the Governor?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: Yes.

Dr. KUMUD SANKAR RAY: Will the Hon'ble Member be pleased to state whether His Excellency has recorded any opinion regarding the grievances contained in the memorial?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: No.

Mr. D. N. ROY: Will the Hon'ble Member be pleased to state whether any action has been taken on the memorial?

(No reply).

Chandana river.

*82. **Dr. KUMUD SANKAR RAY:** (*a*) Will the Hon'ble Member in charge of the Department of Irrigation be pleased to state whether it is a fact that resolutions urging the Government to reclaim the Chandana river have been passed by the Bengal Legislative Council?

(*b*) If so, what steps are being taken to give effect to those resolutions?

(*c*) Do the Government contemplate taking any steps regarding the matter in the near future?

(*d*) If so, what are they?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: (*a*) No resolution having reference to the Chandana river in particular has been carried in the Council.

(*b*) Does not arise.

(*c*) and (*d*) The member is referred to the reply to the previous question.

Kumar river.

***83. Dr. KUMUD SANKAR RAY:** (*a*) Is the Hon'ble Member in charge of the Department of Irrigation aware of the fact that the Kumar river which rises from the Arial Khan river has been silted up rendering the river unnavigable for seven months of the year?

(*b*) Is the Hon'ble Member also aware that this silting up has affected many villages and trade centres at Kalamirdha, Bhanga, Nagarkandu, Talma and other places on her banks?

(*c*) Is the Hon'ble Member aware that on account of the river being silted up, commerce has been jeopardised and the price of the food-stuff has gone high and epidemic diseases, such as malaria and cholera, are frequent in those quarters?

(*d*) What steps, if any, are the Government contemplating taking in the matter?

(*e*) Has the possibility of dredging the river and connecting it with the main river stream of the Padma near Faridpur been ascertained?

(*f*) If the answer to (*e*) is in the affirmative, are the Government considering the desirability of carrying out such a scheme? If not, why not?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: (*a*) and (*b*) Yes.

(*c*) Government have no information.

(*d*) Sluices are being constructed in the side khals of the Lower Kumar river to control the water available for maintaining the river in proper order, and to prevent it from escaping into the bhils.

(*e*) It would be possible to do this.

(*f*) No, because there is already plenty of water to keep the Lower Kumar in good condition, if it is placed under control, and because no improvement is likely to result from dredging the Upper Kumar and connecting it with the Padma.

Babu SURENDRA NATH BISWAS: Will the Hon'ble Member be pleased to state if answer (*d*) also covers question (*b*)?

Mr. PRESIDENT: The Hon'ble Member is not supposed to answer questions like that. You can draw your own conclusions. If you want to put supplementary questions, you may do so.

Babu SURENDRA NATH BISWAS: With reference to answer (*b*), will the Hon'ble Member be pleased to state if any steps are being taken to remedy the evil caused by the silting up of the Upper Kumar river?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: No, not at present.

Babu SURENDRA NATH BISWAS: Will the Hon'ble Member be pleased to state whether he remembers assuring this House to the effect that steps were being taken to stop the silting up of the Upper Kumar river?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: The assurance referred to the Lower Kumar and not the Upper Kumar.

Babu SURENDRA NATH BISWAS: Will the Hon'ble Member be pleased to state whether question (*b*) does not refer to the Upper Kumar, and Upper Kumar alone?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: Not necessarily.

Babu SURENDRA NATH BISWAS: Will the Hon'ble Member be pleased to state whether Kalamirdha, Bhanga, Nagarkandu, Talma, etc., are on the Upper Kumar?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: It is believed to be so.

Babu SURENDRA NATH BISWAS: If question (*b*) relates to villages on the Upper Kumar, will the Hon'ble Member be pleased to state what answer he wishes to give with reference to villages on the Upper Kumar?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: Any improvement of the Lower Kumar will also benefit places on the Upper Kumar.

Babu SURENDRA NATH BISWAS: Will the Hon'ble Member be pleased to state whether any improvement of the Lower Kumar will also benefit places on the Upper Kumar?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: I have already said so, Sir.

Teaching of different subjects by one teacher in medical schools.

*84. **Dr. KUMUD SANKAR RAY:** (*a*) Will the Hon'ble Member in charge of the Department of Local Self-Government (Medical) be pleased to state whether it is a fact that in certain Government medical schools the same teacher is now teaching two different major subjects, viz., surgery and midwifery?

(*b*) Will the Hon'ble Member be pleased to state whether the usual practice of the Council of Medical Registration is to encourage such versatility by allowing one teacher to teach widely different subjects?

(*c*) If the answer to (*b*) is in the negative, will the Hon'ble Member be pleased to state whether such practice is allowed only in case of Government schools?

MEMBER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (MEDICAL) (the Hon'ble Mr. A. N. Moberly): (*a*) Only in the Lytton Medical School, Mymensingh.

(*b*) The question of one and the same teacher teaching two different subjects in a recognised medical school has never been considered by the Council and they have laid down no policy on the subject.

(*c*) The practice is confined to the Lytton Medical School.

Dr. BIDHAN CHANDRA ROY: Will the Hon'ble Member kindly inform the House whether there is not another school where one teacher is engaged in teaching midwifery and surgery, besides the Lytton Medical School, in Mymensingh? I refer to the Campbell Medical School in Calcutta.

The Hon'ble Mr. A. N. MOBERLY: I must ask for fresh notice. My information is that the Lytton Medical School is the only school in which the same teacher teaches two different major subjects.

Dr. BIDHAN CHANDRA ROY: Will the Hon'ble Member be pleased to state whether the Bengal Council of Medical Registration ever inspected the Lytton Medical School? If so, whether the Council approved of the practice followed in that school?

The Hon'ble Mr. A. N. MOBERLY: I must ask for fresh notice.

Dr. BIDHAN CHANDRA ROY: Will the Hon'ble Member kindly take steps to get the Bengal Council of Medical Registration—

Mr. PRESIDENT: That is a request for action.

Dr. BIDHAN CHANDRA ROY: How often in the past has a Government medical school been inspected by the Bengal Council of Medical Registration?

(No answer).

Mr. PRESIDENT: I do not think it is possible to answer such questions from memory.

Dr. KUMUD SANKAR RAY: Why is the Hon'ble Mr. Moberly answering this question?

The Hon'ble Mr. A. N. MOBERLY: Because the subject happens to be within my portfolio.

Dr. KUMUD SANKAR RAY: May we know what are the different subjects taught by the same teacher in the Lytton Medical School?

Dr. BIDHAN CHANDRA ROY: He does not know any thing. What is the good of asking him any question?

The Hon'ble Mr. A. N. MOBERLY: I am afraid I cannot reply to this question offhand: I have not brought the file with me.

Dr. BIDHAN CHANDRA ROY: On a point of order, Sir. Is it open to any member of Government to say in reply to a question that he is not well posted with the subject-matter of the question? It is absolutely taking away the privileges of the House. If the Hon'ble Member forgets his answers to questions, is it proper for him to rise in his seat and smile and say "I have not brought my files" or something of the kind?

The Hon'ble Mr. A. N. MOBERLY: I submit, Sir, that I have given a complete answer to the question.

Dr. BIDHAN CHANDRA ROY: The Hon'ble Member should have been aware that there might be supplementary questions appertaining to this matter, then why did he not bring his file with him?

Copyists of Registration offices.

***85. Mr. K. C. RAY CHAUDHURI:** (*a*) Will the Hon'ble Member in charge of the Department of Education (Registration) be pleased to state whether it is a fact that in *October, 1928*, the clerks and copyists of the Calcutta Registration Office submitted a memorial to the Government through the proper channel stating their grievances?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to lay on the table a copy of the same?

(*c*) Will the Hon'ble Member be pleased to state what action, if any, the Government have taken or propose to take in the matter?

(*d*) Is it a fact that the permanent copyists of the Registration offices in Calcutta and mufassal are included in the salaried establishment of the Department under Government Resolution No. 10278 F., dated 17th July, 1922?

(*e*) Is it a fact that deductions from salaries of these permanent copyists are made on the basis of a minimum standard of copying and comparing works per day?

(*f*) If the answer to (*d*) and (*e*) are in the affirmative, will the Hon'ble Member be pleased to state—

(*i*) under what rules these deductions are made; and

(*ii*) the reasons for this anomalous position of the permanent copyists?

(*g*) Will the Hon'ble Member be pleased to lay on the table a statement of such deductions with particular reference to any three such copyists in the Calcutta Registration Office since 1922?

MEMBER in charge of DEPARTMENT of EDUCATION (REGISTRATION) (the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur, of Dhanbari): (*a*) Yes.

(*b*) A copy of the memorial is placed on the table.

(*c*) This is under the consideration of Government.

(*d*) Yes.

(*e*) Yes.

(*f*) (*i*) The deductions are made in consequence of an administrative order of the Inspector-General of Registration passed in 1922.

(*ii*) The deduction is in proportion to the deficit in the work turned out by a permanent copyist below the minimum standard of work prescribed.

(*g*) A statement of such deductions is laid on the table.

Copy of the memorial referred to in the reply to clause (b) of starred question No. 85.

TO THE HON'BLE NAWAB MUSHARRUF HUSSAIN, KHAN BAHADUR,
Minister in charge of Education (Registration Branch).

(Through the Inspector-General of Registration, Bengal, and Registrar of Assurances, Calcutta.)

The humble memorial of Jatis Chandra Ghosha, a clerk/copyist in the office of the Registrar of Assurances, Calcutta.

HONOURED SIR,

That Your humble memorialist begs to draw Your Honour's kind attention to the following facts for your Honour's favourable consideration:—

1. That last year Your Honour's humble petitioner submitted an appeal to the authorities for revision of his poor scale of pay and raising it to the standard prevailing in other Government offices, but his appeal was refused with the remark that the reasons put forward were not sufficiently clear to justify a revision.

2. That the existing scale of pay is not at all a living wage. The McAlpin Committee (1920-21) have argued in their own way and advanced statistics in support of their recommendations. It may be stated here that the statistics regarding house-rent adopted by the Committee do not accord with facts. Besides the decision of the Committee was based on wholesale price of food-stuffs and other necessaries of life ignoring the facts that a clerk of the status of Your Honour's humble memorialist purchases things at retail prices. Further the Committee did not at all take into account the provisions for medical attendance, educational expenses and the religious and social obligations which are peculiar to the ordinary middle class.

3. That on a reference to paragraph 5 of the Committee's Report, it will appear that the McAlpin Committee, in suggesting the minimum pay of offices of lower status in Calcutta than the Secretariat, had an

eye to the scale of pay then in force in the offices of the Postal Department and similar offices located in Calcutta. It may be brought to the notice of Your Honour that the Government of India have lately considered the scales of pay in those offices and have been pleased to raise the pay of those departments. As an illustration Your Honour's humble memorialist may be permitted to mention that the scale of pay for 2nd clerk, clerks and copyists of his office is Rs. 90—4—110, 45—2—85 and 40—1—50, respectively, though the copyists are very often called upon to do clerical works in the general line. Again the copyists, after attaining a pay of Rs. 50, have to wait for an indefinite period till a vacancy occurs in the clerical grade. It is, therefore, not infrequent that the copyists have to retire from service on reaching Rs. 50. The increment given to the clerks of the Secretariat and Post Offices is Rs. 4 to Rs. 6 per annum, while the increment is Rs. 4 for 2nd clerk, Rs. 2 for clerks, and Re. 1 for copyists. This exceedingly lower rate of pay in a Government office in Calcutta makes one believe that Your Honour's humble memorialist's just claims are ignored by the Government.

4. That with this paltry allowance it is simply impossible to meet the expenses of a family in Calcutta.

5. That Your Honour's humble memorialist therefore prays for an early revision and betterment of his pay and prospects for which acts of kindness he shall ever pray. It may be argued that the existing scale of pay allowed, has proved to be sufficiently attractive for drawing a large number of candidates from the outside for a particular vacancy. But it is the accepted principle of Government that the Government servants should be paid so much as can maintain them in a degree of comfort and dignity and will shield them from temptation and also keep them efficient and contented for the term of service. There is no reason why his case should be governed by the Law of Demand and Supply.

In conclusion Your Honour's humble memorialist fervently appeals to Your Honour for a consideration of his hard case and prays that orders be passed for redressing his legitimate grievances by sanctioning a revised scale of pay and Calcutta house allowance.

And Your Honour's humble memorialist, as in duty bound, shall ever pray.

JATIS CHANDRA GHOSHA.

CALCUTTA,

Dated the 8th October, 1928.

Statement referred to in the reply to clause (g) of starred question No. 85 showing deductions from the salaries of the permanent copyists of the Calcutta Registration Office made for short copying and comparing work since 1922.

1922

1. Manick Chand Pal—11 days' pay for November 1921 at Rs. 34-8, Rs. 12-10-4.
2. Shamsuddin Khan—2½ days' pay for November 1921 at Rs. 34-8, Rs. 2-8-5.
3. Abul Khair—1 1/5 days' pay for November 1921 at Rs. 34-8, Rs. 1-15-9.

1923

1. Manick Chand Pal—Nil.
2. Shamsuddin Khan—Nil.
3. Abul Khair—Nil.

1924

1. Manick Chand Pal—Nil.
2. Shamsuddin Khan—Nil.
3. Abul Khair—Nil.

1925

1. Manick Chand Pal—8½ days' pay for May 1925 at Rs. 50, Rs. 13-4.
2. Shamsuddin Khan—Nil.
3. Abul Khair—Nil.

No deduction during any other month during the year.

1926

1. Manick Chand Pal—4 days' pay for March 1926 at Rs. 50, Rs. 6-11.
2. Shamsuddin Khan—Nil.
3. Abul Khair—Nil.

1. Manick Chand Pal—$7\frac{11}{60}$ days' pay for May 1926 at Rs. 50, Rs. 12-14.
2. Shamsuddin Khan—Nil.
3. Abul Khair—Nil.

1. Manick Chand Pal—$4\frac{9}{10}$ days' pay for July 1926 at Rs. 50, Rs. 7-14.
2. Shamsuddin Khan—Nil.
3. Abul Khair—Nil.

1. Manick Chand Pal—$5\frac{7}{16}$ days' pay for August 1926 at Rs. 50, Rs. 9-8.
2. Shamsuddin Khan—Nil.
3. Abul Khair—Nil.

1. Manick Chand Pal—$3\frac{1}{10}$ days' pay for September 1926 at Rs. 50, Rs. 5-3.
2. Shamsuddin Khan—Nil.
3. Abul Khair—Nil.

No deduction during the months of January, February, April, June, October, November and December.

1927

1. Manick Chand Pal—$5\frac{3}{8}$ days' pay for December 1926 at Rs. 50, Rs. 9-8.
2. Shamsuddin Khan—Nil.
3. Abul Khair—Nil.

1. Manick Chand Pal—$14\frac{3}{10}$ days' pay for July 1927 at Rs. 50, Rs. 23-1.
2. Shamsuddin Khan—Nil.
3. Abul Khair—Nil.

1928

1. Manick Chand Pal—Nil.
2. Shamsuddin Khan—Nil.
3. Abul Khair—Nil.

Copyist Babu Manick Chand Pal was absent on leave from 2nd August, 1927, to 11th 1929.

Extra copyists in the Registration offices in Calcutta and mufassal.

*86. **Mr. K. C. RAY CHAUDHURI:** (*a*) Will the Hon'ble Member in charge of the Department of Education (Registration) be pleased to state whether it is a fact that extra copyists in the Registration offices in Calcutta and mufassal are employed only for copying works at piece-rate system?

(*b*) Is it a fact that the extra copyists in the Calcutta Registration Office are made to do comparing works in addition but are not paid for their additional works?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Member be pleased to state the reasons therefor?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: (*a*) Piece rates cover copying and comparing.

(*b*) Yes.

(*c*) Copying is not complete until the copy has been compared with the original.

Fall in the earnings of two extra copyists in the Calcutta Registration Office.

*87. **Mr. K. C. RAY CHAUDHURI:** With reference to the statement laid on the table in reply to clause (*b*) of starred question No. 74 of the 24th August, 1928, showing a fall in the earnings of extra copyists in the Calcutta Registration Office under the existing piece-rate system with special reference to the earnings of extra copyists Sasi Bhushan Basu and Durgapada Chakravarti, will the Hon'ble Member in charge of the Department of Education (Registration) be pleased to state what action, if any, has been taken or is intended to be taken by the Government in the matter?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: The fall in the earnings of copyists Sasi Bhushan Basu and Durgapada Chakravarti was due partly to the decrease of copying work and partly to their absence and slow work. Government do not intend to take any action in the matter.

Process-serving and menial establishments of courts.

***88. Babu NALINIRANJAN SARKER:** (*a*) Will the Hon'ble Member in charge of the Judicial Department be pleased to state—

(*i*) the monthly wages of Civil and Criminal Court peons, orderlies, chaprasies, process-servers and other menials of the same class, classified separately;

(*ii*) whether the amount of wages for such classes is the same throughout the province or whether there are variations in respect of divisions or districts;

(*iii*) if there are variations, the reasons for such variations; and

(*iv*) the rate of wages prevalent in the district of Mymensingh?

(*b*) Will the Hon'ble Member be pleased to state—

(*i*) whether there are grades for such wages; and

(*ii*) if so, what these grades are with variations for different divisions and districts?

(*c*) Will the Hon'ble Member be pleased to state whether these employees are eligible for pension?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Member be pleased to state—

(*i*) whether their cases also come under the ordinary rules of pension or under any special rules; and

(*ii*) if the latter, what such rules are?

(*e*) If the answer to (*c*) is in the negative, will the Hon'ble Member be pleased to state—

(*i*) whether they enjoy the benefit of any Provident Funds; and

(*ii*) the rules regarding contributions to such Provident Funds?

(*f*) Will the Hon'ble Member be pleased to state—

(*i*) whether these men enjoy holidays under the ordinary Government rules or there are any special rules in their case; and

(*ii*) if the latter, what these rules are?

(*g*) When was the scale of wages now existing put into force?

(*h*) Have the Government any proposal for the betterment of their wages in the near future?

(*i*) If the answer to (*h*) is in the affirmative, what are these proposals?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Mr. A. N. Moberly): (*a*) and (*b*) A few districts, viz., Calcutta, Howrah (Sadar), Alipore (Sadar) and Darjeeling are classified as "A" districts because living, including accommodation, is distinctly dearer than elsewhere; all other districts are "B" districts.

Process-servers are paid according to the following time-scales—

in "A" districts, Rs. 18—1/5—22;

in "B" districts, Rs. 16—1/5—20.

Other establishment menials, including peons, orderlies, chaprasies, are paid—

in "A" districts, Rs. 15—1/5—19;

in "B" districts, Rs. 13—1/5—17.

(*c*) and (*d*) Establishment menials, including process-servers, are eligible for pension under the ordinary rules applicable to inferior service.

(*e*) Does not arise.

(*f*) They enjoy holidays in the same manner as other Government servants. They enjoy leave under the provision of the Subsidiary Rules applicable to inferior service.

(*g*) July 1st, 1921.

(*h*) No.

(*i*) Does not arise.

Babu NALINIRANJAN SARKER: With reference to answers (*c*) and (*d*), do the rules applicable to inferior servants contemplate the payment of a pension equal to half the salary, as in other services?

The Hon'ble Mr. A. N. MOBERLY: The rules are in the Civil Services Regulations. I am not prepared to quote details.

Babu NALINIRANJAN SARKER: Is it a fact that the pension amounts to Rs. 4 only per mensem, and nothing more?

The Hon'ble Mr. A. N. MOBERLY: I have already said that I am not prepared to quote details.

Babu NALINIRANJAN SARKER: Will the Hon'ble Member deny that the following words occur on page 130 of the Civil Services Regulations, viz.—

".....in all other cases, half pay not exceeding Rs. 4 a month .....?"

The Hon'ble Mr. A. N. MOBERLY: The member has the advantage of me: he has got the book, while I have not. (Laughter.)

Babu NALINIRANJAN SARKER: I can lend it to you.

Officer in charge of female education.

*89. **Srijut NAGENDRA NATH SEN:** (*a*) Will the Hon'ble Member in charge of the Department of Education be pleased to state who is the officer next to the Director of Public Instruction in charge of female education?

(*b*) Are the Government considering the desirability of appointing a suitable Indian officer for this purpose?

MEMBER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. A. Marr): (*a*) The two Inspectresses of Schools, *i.e.*, the Inspectress of Schools, Presidency and Burdwan Divisions, and the Inspectress of Schools, Dacca Circle, are the officers in charge of female education. Both of these posts are at present held by Indian ladies.

(*b*) Does not arise in view of the answer to (*a*).

Sanitary arrangements and accommodation on passenger trains.

*90. **Srijut NAGENDRA NATH SEN:** (*a*) Is the Hon'ble Member in charge of the Department of Public Works (Railways) aware of the insanitary condition of the carriages of the 19-Up B.N.R. passenger train which runs between Asansol and Kharagpur?

(*b*) Have the Government any department or officer to look to these matters?

(*c*) Has the Public Health Department any responsibility in these matters?

(*d*) Will the Hon'ble Member be pleased to state whether the municipal laws of British India apply to—

(*i*) the railway line;

(*ii*) the station platforms; and

(*iii*) passenger trains?

(*e*) Is it a fact that the local Government have no jurisdiction and liability in these matters because of the fact that railway is a central subject?

(*f*) Do the local Government take any steps—

(*i*) to prevent the overcrowding of railway carriages;

(*ii*) to prevent the insanitary condition of the railway stations and trains; and

(*iii*) to ensure the fitness of carriages for passengers traffic?

(*g*) If so, what is the machinery therefor?

MEMBER in charge of DEPARTMENT of PUBLIC WORKS (RAILWAYS) (the Hon'ble Mr. A. Marr): (*a*) No.

(*b*) Matters of Public Health interest or importance to railway passengers are occasionally brought by the Director of Public Health to the notice of the Railway Chief Medical Officers for attention by the railway authorities.

(*c*) The Provincial Public Health Department does not appear to have any direct responsibility in these matters.

(*d*) The application of local laws to railways appears to be limited by the principle embodied in section 135 of the Indian Railways Act, 1890.

(*e*) Yes.

(*f*) (*i*) No. Sections 63, 102 and 109 of the Indian Railways Act provide sufficient safeguards against overcrowding.

(*ii*) The member is referred to (*b*) above.

(*iii*) No.

(*g*) Does not arise.

Srijut NAGENDRA NATH SEN: With reference to answer (*c*), will the Hon'ble Member be pleased to state what department of the Government is directly responsible for these matters?

The Hon'ble Mr. A. MARR: As far as I know, Sir, no department of the Provincial Government is responsible for these matters.

Mr. JOGESH CHANDRA GUPTA: Are passengers in railways excluded from the operations of the Public Health Department?

The Hon'ble Mr. A. MARR: I suggest, Sir, that reply (*b*) answers that question.

Srijut NAGENDRA NATH SEN: Will the Hon'ble Member be pleased to state the sense in which he understands the word "municipal" in question (*d*)? Does he understand it in the sense of relating to Municipalities, as opposed to military matters?

The Hon'ble Mr. A. MARR: I have not understood Mr. Sen's question.

Srijut NAGENDRA NATH SEN: Will the Hon'ble Member be pleased to state that since section 135 of the Indian Railways Act deals only with matters relating to municipalities, taxation and other things, *i.e.*, Municipal matters as opposed to military matters, is his answer to question (*d*) correct?

The Hon'ble Mr. A. MARR: I think, Sir, that is a matter of opinion.

Mr. PRESIDENT: I think so too.

Unstarred Question

(answer to which was laid on the table).

Veterinary Assistant Surgeons.

59. Babu JATINDRA NATH CHAKRABURTTY: (*a*) Will the Hon'ble Member in charge of the Department of Agriculture and Industries be pleased to state whether the question of the revision of the pay and prospects of the Veterinary Assistant Surgeons of the Civil Veterinary Department is still under consideration?

(*b*) If so (*i*) for how long the subject has been under consideration; and

(*ii*) how long it is expected to be under consideration under normal circumstances?

MEMBER in charge of DEPARTMENT of AGRICULTURE and INDUSTRIES (the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur, of Dhanbari): (*a*) Yes.

(*b*) (*i*) The present proposals have been under examination since May, 1927.

(*ii*) It is impossible to say when a final decision will be reached, since the concurrence of all district boards has to be secured before increased pay can be given.

Babu JATINDRA NATH CHAKRABURTTY: Will the Hon'ble Member be pleased to state whether the opinions of the District Boards have been invited?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: Yes, they have been invited.

Babu JATINDRA NATH CHAKRABURTTY: Will the Hon'ble Member be pleased to state how many district boards have given their opinion?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: None has replied yet. (Laughter.)

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Member be pleased to state when the opinions were invited?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: They were invited through Commissioners of Divisions only a few weeks ago.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Member be pleased to state what was being done since May, 1927, till "a few weeks ago?"

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: The proposals were being examined. (Laughter.)

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Member be pleased to state who was examining the proposals?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: The various Departments concerned. (Laughter.)

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Member be pleased to state which are the "various Departments concerned?"

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: The Departments of Agriculture and Industries, and Finance.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Member be pleased to state if these Departments were engaged in the work of examination of the proposals simultaneously, or one after another?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: Usually one after the other. (Laughter.)

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Member be pleased to state when the Department of Agriculture and Industries began the examination and when it was finished?

Mr. PRESIDENT: I do not allow that question.

Mr. JOGESH CHANDRA GUPTA: May I ask, Sir, one more supplementary question?

Mr. PRESIDENT: Yes.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Member be pleased to state whether there is any possibility of these examinations by Government Departments being expedited?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: Very little. (Laughter.)

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Member be pleased to state whether the district boards have received the communication from Government by this time?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: I cannot say.

The Budget grants of the Government of Bengal for 1929-30.

DEMANDS FOR GRANTS.

5—Land Revenue.

Maulvi TAMIZUDDIN KHAN: Sir, I beg to move that the demand of Rs. 14,13,000 under the head "5B—Management of Government Estates" be reduced by Rs. 100. (Demands of the Muhammadan community for grant of lands for mosques in or near Court compounds and to the paucity of Muhammadan employees under the Khas Mahal Department).

Sir, my object in bringing forward this motion is to draw the attention of Government to certain grievances of the Moslem community. During the budget discussion, I shall have the disagreeable duty of referring, from time to time, to the special grievances of my community. I shall try to be brief in my reference to these grievances, because I do not find the atmosphere of this House to be at all congenial. I rather feel myself between two fires. On the one hand, there is a section of my countrymen who profess, in theory at least, a supreme apathy for the loaves and fishes of office, while on the other hand there is the Government, perhaps sympathetic but more anxious to keep up

appearances, who seem to think that, their shower of blessings is lost upon an ungrateful community. Sir, I shall therefore refer to these grievances with a good deal of trepidation of heart, and I hope that I shall not be taken as a rank communalist if I do so very often during the course of this session.

Sir, at the outset I should like to make one point clear. It is, that I do not demand any favour for my community when I refer to these grievances. I only want justice—bare justice—from Government and from this House. To render justice to our claims and grievances it may perhaps be necessary to disturb old monopolies, and it is there and there only that the real trouble begins.

Sir, I shall now come to the particular points which I wish to raise in moving this motion. My first point is that the Muhammadan community has been labouring under a very serious disadvantage, because in many districts there is very little facility for Muhammadans in saying their daily prayers during Court hours. This is also true of *Juma* prayers. There are districts where the Court-houses are situated at places near which there are no private lands on which Muhammadans may erect mosques and say their prayers. In these districts, Muhammadan litigants, pleaders and officers, suffer a very great disadvantage, inasmuch as they have to resort to distant places for the purpose of saying their prayers or to have their prayers in the open without any shelter or protection from either the sun or the rain.

3-30 p.m.

Sir, it is only in these cases that the Muhammadans have to approach the Government for the grant of suitable pieces of land either within or near Court compounds for the erection of mosques. Such an application, so far as the district of Faridpur is concerned, was made, and that application was recommended, and I think very strongly recommended, by the district magistrate, but unfortunately Government could not see its way to accede to the prayer which was ultimately rejected. I want to draw the attention of the Hon'ble Member to this unsatisfactory decision and I hope that henceforth these prayers will be looked upon with the sympathy that they deserve. I do not know why the Government is at all prone to reject such prayers. We find that the Government is not unwilling to offer other facilities to Muhammadans for saying their prayers—for example, Government has issued a circular that on Fridays the revenue and criminal Courts should suspend their business from 12-30 to 2 p.m.—and the Muhammadans are very grateful for that. I do not know why when they offer these facilities Government are not coming forward to grant other facilities, without which these circulars very often become nugatory or ineffective. It may be said, Sir, that this is a communal question, and it is not a good policy for the Government to allow the construction of

religious structures in or near Court compounds, because in that case other communities will also come forward with similar prayers. Let me say, Sir, that the Muhammadans stand on a different footing from other communities in this respect as they have to say their prayers five times a day and at least twice during the Court hours. In that view of the matter I do not think that any of the other community will come forward with a similar prayer, if the Government accede to the demand of the Muhammadans. We see that Government does actually make some provision, for the prayer of Muhammadans, for example, in this Council chamber we are given facilities for saying our prayers and there is accommodation provided for that purpose. That is also the case in the Legislative Assembly; and if we look to the Bengal Secretariat, there also proper facilities are offered to the Muhammadans. Certain rooms are set apart there for prayers. But when the question of the mufassal districts come in, I do not know why the Government deviates from the policy which it is following in other cases. Therefore, I think this question should be reconsidered by Government and a more sympathetic attitude shown towards the needs of the community.

I would also like to draw attention to another point and that is rather a small one. The question of a proper share of appointments for each community in the various departments of Government is now in the forefront. So far as the khasmahal department is concerned, we find that the number of Muhammadan tahsildars employed in that department is very inadequate. When the question of high appointments come in, we hear that the only consideration is efficiency, and that the Government is not at all prepared to impair the efficiency of the services. I do not know whether the efficiency of the service will be impaired if a certain number of Muhammadans be appointed as khasmahal tahsildars. I would refer to the actual position so far as this department is concerned, and this may be gathered from the question which I put on the 8th August, 1928 question No. 45—in answer to which we were given the total number of tahsildars in Bengal, district by district, and the number of Muhammadans and non-Muhammadans employed. The total number on that date was 168 and out of that 140 were non-Moslems, while 28 only were Moslems, i.e., only 16 per cent. Moslems. I submit, Sir, there is something wrong somewhere which prevented Moslems from coming into the department, and I hope the Hon'ble Member will direct his attention to that and see that the grievances of the Moslems in this respect be remedied to a certain extent. With these observations I place my motion before the House.

Babu JITENDRALAL BANNERJEE: Sir, I should not like to oppose this motion, but there is one humble consideration which I should like to place for the consideration of the House. Suppose, Sir, that the prayer of our Muhammadan brothers is granted and suppose

that Government provides accommodation in a Court compound for the building of mosques. I do not see how the application can be rejected, seeing that it is to promote the interests of piety and religion! But suppose now that a plea is taken by a Shaivite Hindu that he would like to have accommodation in the Court compound for a Shiva temple. Here, again, I do not see how the Government can possibly reject the prayer. A paternal Government must always hold the scales even, and also the claims of piety and religion must ever be taken consideration of and must ever be encouraged! Now suppose, when the application of the Shaivite has been granted, a worshipper of Kali comes forward and wants accommodation for a Kali temple! Again, I say, how can a paternal, benevolent, just and equitable Government refuse to consider the plea? Also there are the claims of piety and religion which must be always considered and always encouraged! Then, Sir, when the worshipper of Kali has had his turn, a Sikh may come forward and like to have his Gurdwara! And here again, the Sikhs must not be disobliged, for they are the military section of the population, and there are the ever-present claims of piety and religion! So every one of these applications will have to be considered; and when all these applications have been duly considered, what will happen to the Court compound? Certainly it will present a motley and diversified spectacle—edifying no doubt, but rather inconvenient! Meanwhile, one should like to know what will happen to the poor litigants. Where will they be in the midst of this motley assemblage of mosques, temples and gurdwaras? Also what will happen to the business of the Court—in the midst of the incessant stream of *bhajan* and *prayer* and *nemaz* that will rise up from these miscellaneous places of worship! A trifling consideration perhaps—but one which an earthly and secular Government may not wholly overlook!

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, I will take the second point first; and the second point is about the paucity of Muhammadan employees in the khasmahal department. I take it up first, because this is a point which really pertains to my department. I may tell the House that although Maulvi Tamizuddin Khan has given the number of khasmahal tahsildars there are other classes of employees among whom the position of Muhammadans is not so unsatisfactory, *viz.*, as regards amins, clerks and sarkars. As regards amins, we have 26 non-Moslems and 11 Moslems. As regards clerks and sarkars, we have 60 non-Moslems and 136 Moslems. With regard to both these classes, the number is somewhere about the usual number of clerical staff in all districts. I admit, however, that as regards tahsildars, the number is comparatively small. The appointments with regard to tahsildars, clerks and sarkars, and amins are made by the Collector and not by Government; and I am sure, Sir, the Collectors always

try to choose from suitable applicants and the Collectors have no prejudice against Muhammadans as such. It may be that the smaller number of tahsildars is a legacy of the past, or that in view of the difference between the percentage of amins, clerks and sarkars, and tahsildars, in regard to tahsildars, applications from efficient non-Moslems preponderate. I am told, Sir, that even in some estates held by private Muhammadan zamindars, the tahsildars are mostly non-Moslems. Be that as it may, Government is quite willing to look into the question of increasing the number of Muhammadan tahsildars and also whether Muhammadans have a legitimate grievance in the matter of such appointments. My suggestion to my friend, Mr. Tamizuddin Khan, is to bring, in the first instance, his grievance to the notice of the Collector. If he does not get his grievance remedied, then to move the higher authorities.

Now, Sir, as regards the first point, which is from the point of view of the mover the more important question, I am in the position of a mere spokesman of Government decision, because in a question like this, various departments are concerned, namely, the Revenue Department, the Judicial Department, the Public Works Department and the Political Department. I find also that the matter has been decided by Government more than once, and the mover has very rightly pointed out that the attitude of Government towards the Muhammadan community about saying their prayers is sympathetic—but it is sympathetic no doubt so far as is possible for Government to be with due regard to its duties. With regard to a question of this nature, namely, that a part of the court compound should be set apart for the erection of a mosque, I am sure that if my friend thinks about it more closely, he will find that it is a very difficult matter. The primary object, or rather the only object of a court compound is to provide for what is necessary for the court itself, namely, the court house for the trial of cases, the offices appertaining to the courts and other immediate purposes of a court. Now, if a mosque be permitted to be built within the court compound, then later on if larger accommodation be required for the court, it will, I am sure, be admitted that it will be difficult to get rid of the mosque—it would perhaps be an act of sacrilege no doubt to the Muhammadans to remove the mosque. But, apart from that, the attitude of Government in all these departments all along has been not to allow any encroachment, especially encroachment for religious purposes in regard to court compounds and other Government property. Very recently, in a certain place, the Hindus wanted to worship Saraswati on the Saraswati Pnja day, which was a holiday, in a court compound. Following the same principle, although the worship would have lasted only two days, the application was refused. Now, if we are to live in amity, it is desirable that the court itself and the court compound should not be set

apart for religious observance. I will not, however, pursue the arguments of Mr. Jitendralal Bannerjee. He has said enough to show that in a matter of this kind the thing can be pushed to inconvenient limits. With these observations, Sir, I must oppose this amendment.

3-45 p.m.

Maulvi TAMIZUDDIN KHAN: I did not mean only that court compounds should be set apart for mosques but some place in or near court compounds.

The Hon'ble Sir PROVASH CHUNDER MITTER: With regard to that point it is not possible to give a general answer. There may be lands available in some places, and in other places there may not be available land. If I give a general answer, I might be misunderstood.

There is another point and that is this: With regard to lands for mosques and temples, it is always desirable that these places of religious worship should not be on leasehold lands. I may inform the mover that in some khasmahals mosques and places for religious worship have been allowed to be erected but the Collectors advised those who wanted to start these religious places to acquire the land. And although ordinarily we do not sell khasmahal lands in these special cases khasmahal lands have been allowed to be sold. All that I can say is that there is no intrinsic objection to places of worship within a convenient distance of the court house but that each application for erecting such places will have to be dealt with on its own merits. Beyond that it is not possible or right for me to say anything more definite.

Maulvi TAMIZUDDIN KHAN: I want to put another question to the Hon'ble Member.

Mr. PRESIDENT: I cannot allow any more questions at this stage.

The motion of Maulvi Tamizuddin Khan was then put and lost.

Babu ROMES CHANDRA BACCHI: I beg to move that the demand for Rs. 16,84,000 under the head "5C.—Land Revenue—Survey and Settlement—Major Settlement Operations" be reduced by Rs. 51,700.

This motion for the reduction of the demand for major settlement operations by Rs. 51,700 is with respect to the allotment made in the next year's budget in connection with the cost of aerial survey in Malda. In page 30 of the Financial Statement we find the following

words: "the estimate under major settlement operations for the ensuing year has been fixed at Rs. 17,73,000 inclusive of Rs. 51,000 payable to the Aerial Survey Company as the third instalment for the survey work, against this year's revised estimate of Rs. 18,64,000." Sir, the history of the aerial survey of Malda is rather interesting. This method of survey by aeroplane is a new thing in this province. The whole work of survey of the district was entrusted to an Air Survey Company—a British Company no doubt—at a remuneration of Rs. 2,59,000 as we find in page 29 of the Financial Statement for 1928-29. The Air Survey Company accordingly took photographs of some portions of the district and prepared maps, which were very beautiful to look at, but on verification they were found to be absolutely worthless for the purpose for which they were prepared, for they did not at all tally with the actual measurement of the area for which these maps were prepared. The Air Survey Company had no previous experience in works of this nature, but that never stood in their way of securing a contract for this responsible work. The whole thing was kept a secret until it was brought to our knowledge by some questions put by me to which answers were given in this Council on the 27th February last. This failure of the Company to perform the contract was described in the Financial Statement for the next year as their inability to complete the work before the close of the financial year. The words are these—in page 30 of the Financial Statement—"the savings in the revised estimate, which has been based on the nine months' actuals, are partly due to the non-payment in full of the cost of the aerial survey in Malda owing to the inability of the Aerial Survey Company to complete the work before the close of the financial year."

Now I turn to the questions put by me. My first question was—"Will the Hon'ble Member in charge of the Revenue Department be pleased to state the result of aerial survey in the district of Malda?" And to this the answer was—"The Air Survey Company failed to provide accurate maps within the time allowed and the contract has been cancelled." I beg to draw the attention of the House particularly to the words "the contract has been cancelled."

My next question was—"Is it a fact that the attempt has been a failure?" And to this the answer was—"Yes, hitherto, but some maps prepared by new methods will be tested shortly." The "new methods" require some explanation.

The Air Survey Company failing in their attempt to provide accurate maps, employed amins who worked for two months in the thanas of Habipur and Bamangola—only two thanas out of 17 thanas in the district—took measurement of those areas by the old, ordinary method and prepared maps which, I think, would be relayed upon the maps previously prepared by the Company and inaccuracies would be thus

corrected. I say this, Sir, from my personal knowledge of what these survey parties were doing there. So the words "new methods" are rather misleading. It is neither more nor less than the old ordinary method of survey prevalent in this country which is always more reliable.

My next question was—"How much of the remuneration originally sanctioned has actually been paid to the survey company?" to which the answer was—"Rs. 1,03,400." The original amount sanctioned was Rs. 2,59,000 out of which they were allowed to draw Rs. 1,03,400, *i.e.*, about one-half of the total amount without in any way deserving such a huge remuneration as they really did nothing.

My next question was—"If the answer to (*b*), *i.e.*, is it a fact that the attempt has been a failure, is in the affirmative, are the Government considering the desirability of calling upon the said Company to refund the amount actually drawn by it?" and the answer was—"Yes." May I ask the Hon'ble Member in charge of the Department of Land Revenue whether the said Company has as yet been actually called upon to refund?

So we got these informations from the Hon'ble Member in charge that—

(1) the Air Survey Company failed to perform the contract;

(2) their contract has been cancelled; and

(3) the Company would be called upon to refund the amount actually drawn by it.

In the face of these statements and the stubborn fact that the Air Survey Company miserably failed to perform the contract, we find in the Financial Statement for the next year, page 29, that a provision for Rs. 51,700 has been made for the Air Survey Company as the third instalment payable to them for the survey work. So it comes to this that the Government is perfectly determined to pay all the instalments to the Air Survey Company even without getting any return for it.

Standing upon these facts, may I request the members of this, specially those sitting opposite, not to lend support to the demand by which it is intended to benefit a company of white men with whom our alien bureaucracy are in a happy brotherhood.

Babu JITENDRALAL BANNERJEE: Sir, I have great pleasure in supporting the proposal just moved. Here is an instance in which the Government, by its own admission, has been convicted of criminal carelessness and neglect, and yet, undeterred by the failure of its experiment, we understand that Government is still going on seeking to foist upon the Settlement Department the inaccurate maps that have been prepared by the Aerial Survey Company, and at the same

time paying more money to the Company. Sir, the idea of an aerial survey first started with Mr. Jamieson, formerly Director of Land Records and Agriculture. His idea was that some of the stages of ordinary settlement operations could be avoided by this means, that the traverse survey need not be so detailed as hitherto, and that the cadastral survey may be omitted altogether. That was the idea—that some of the processes might be avoided and therefore a saving might result. The other idea was that maps of a more scientific accuracy would be obtained as a result of these operations. I shall try to show how the Government project has miscarried at every step. In the first place it has not been possible to avoid the cadastral survey operations altogether. At a very early stage of the operations, it was found that the aerial survey could not cover the *bustee* areas, as our villages are choked with bamboo clumps and jungle. In that direction the aerial survey turned out to be quite useless. It was seen that the other operations would have still to be continued and would have to be reduplicated by means of the aerial survey. Consequently there could be no saving in expense.

As regards accuracy, what has been the result? The maps which have been turned out are wildly inaccurate. In fact, if these inaccurate maps are produced before a court of justice, they are bound to be rejected. The result of these operations therefore would be that the whole record-of-rights would be vitiated.

Sir, unlike many of my friends, I am of opinion that settlement operations are extremely valuable, in fact it is the one most valuable thing upon which Government has been engaged for some time. As a result of accurate survey the cultivators now know what the extent of their holdings may be and what their rights are with reference to these holdings. But if Government persists in their present policy of foisting their inaccurate maps on the Settlement Department, simply because they want to save their face as regards this aerial survey business, Government will then nullify and undo their own work. Thus we see that no improvement has been made, no saving effected and no accuracy obtained by the aerial survey. Also, if this aerial survey project is continued—and Government seems determined to go on with this project—then 5,000 amins employed in the Department—and I ask my Muhammadan friends to take particular notice of the fact that at least 60 per cent. of these amins are Muhammadans—will be thrown out of employment, will be deprived of their bread, not for the sake of accuracy, but simply for the purpose of patronising a British commercial corporation. I ask the Hon'ble Member in charge of the Revenue Department—was it not the unanimous opinion of the settlement officers of Bengal that the maps turned out by the Aerial Survey Company have been a hopeless failure?

4 p.m.

If that was so, how is it that Government still persist in these operations?

There is another question also which I should like to put to the Hon'ble Member. Will he or will he not answer whether they are still persisting in this matter because of the very strong hints which have been received from some of the highest quarters of the land? Is that the fact or not? If that is so, I hope the Hon'ble Member will take the House into his confidence and say what he has got to say and explain his position.

Mr. W. H. THOMPSON: I also have a question to ask the Hon'ble Member, but before I get to that question I must raise another point. When I first came to this country, I was sent as an Assistant Magistrate to Barisal and afterwards I went as a Subdivisional Officer to the subdivision of Bhola. The Bakarganj settlement operations were just drawing to a conclusion. Those were days when the survey was carried out under the Director of Surveys and not under the control of the Director of Land Records, that is to say, not under the control of the Settlement Department. The reputation of the amins in Barisal was abominable. To muzzle the "ox that treadeth out the corn," Mr. J. C. Jack and Sir Nicholas Beatson-Bell devised the kanungo system and took over from the Survey Department the control of all the survey and settlement operations after the traverse. Mr. Jack and, to a less extent, Sir Nicholas Beatson-Bell had an extraordinary knack of drawing the best out of their subordinates. At first the batch of kanungos they took were young men straight from the university, and Mr. Jack inspired them with so much of his spirit that they formed a service which, for keenness and enthusiasm, has not been beaten in this province. As a result of the handing over to the Settlement Department of the kistwar operations a great deal of grumbling about the exactions of the amins stopped; but not altogether. The amins during my time—and I was 9 years a Settlement Officer—always lived free. Not that it was necessarily exaction; that necessarily means there was extortion; it was mainly the instinct of hospitality which is very strong among the Bengal villagers but there is no doubt that the amin was a burden—not a locust to eat everything, but a burden, and if we can remove the amin we can save at least very much heart-burning.

I have seen settlement operations started in four districts and finished in four districts and always the grumbling has been over the survey; survey is a thing which the villagers do not understand; they do not know how it is done, but they think that the amin with his pencil can change the area and alter the boundaries of their lands. They do not worry over khanapuri. All that the amin does at khanapuri is perfectly understandable to them. All he does is to write down

the names of the landlords, the names of the owners and of the shareholders, in the holding and their shares and on the back of the khatian the plots and boundaries and nothing more; rent or cess is not entered by the amin at all, area also is not entered by the amin. All things that are done at the khanapuri stage are perfectly simple things which the villagers understand but they do not worry about them, but they are afraid of the amin when he is making his map. If we can get the settlement operations done without the amins kistwar in the field, it will save all the heart-burning that comes with the settlement operations in a new district. This heart-burning can be removed if we can get a map from the air. Mapping from the air has been used in Mesopotamia, in Egypt and the United Provinces with great success. The Malda surveys were made by people who had experience of such survey in Egypt and attempted Egyptian methods which however would not work here. They tried to work with too few fixed points in the hope of saving money.

Perhaps few members of this House have seen the fields of Egypt; the fields in Egypt are very characteristic in shape while the fields in this province are rectangular; every field has the same shape as its fellow but in Egypt the fields and meadows are of different shape. If you get a map taken on one side and a map taken on the other side it is easy to fit them together by the shapes of the fields. One Surveyor-General in Egypt (I remember reading a report of his) said that many of the field boundaries in Egypt are as old as the pyramids themselves. Our field boundaries are not like theirs; they are little narrow ails and as I said the fields are nearly always rectangular. It is because they could not find fitting points for these maps that they could not adjust them and make them accurate.

Now I come to the question which I wished to ask the Hon'ble Member. I understand that the maps which have been produced are not accurate. In a paragraph from the air the fields in the middle come out larger than those in the side and adjustment is necessary. Moreover, the areoplane is disturbed by the wind and is not always of the same height and not always level. The maps are too big on one side and too small on the other; small in the front or big behind, and have to be adjusted. But they are pictures and as pictures they can be used for khanapuri purposes. They may not be sufficiently accurate for subsequent stages of settlement work, when the exact areas of fields is required, but they will be sufficiently accurate for khanapuri, and if khanapuri were done this year; during the interval before the next cold weather it would have been possible to produce sufficiently accurate maps to finish the job off. Now I would ask the Hon'ble Member—and I expect he has a good reason, I have heard he has a good reason to offer, in the attitude of the

tenants—I would ask why he did not complete the khanapuri on those maps and finish the records on the revised maps in the next cold weather.

The Hon'ble Sir PROVASH CHUNDER MITTER: So far as this motion is concerned the position can be very easily explained. Shortly the position is this: the contract has been cancelled on the simple ground that the Company promised to deliver satisfactory maps by a certain date in October, and so the contract has been cancelled. This Rs. 51,000 odd which is mentioned in the budget is not for payment to the Company but to carry on the survey by the ordinary method. When the contract was cancelled some day in February (third week) as there were agrarian troubles in that district we had to start settlement operations by the ordinary method and settlement operations meant money. The Rs. 51,000 odd that is in this year's budget will be devoted to that purpose; but the contract has been cancelled.

As regards Mr. Thompson's question and other criticisms of a general nature I will try to reply to them so far as possible within the very short time at my disposal. Last year with the leave of the House my predecessor in office did get the budget sanctioned and it was on the basis of that budget, in which this very question was discussed, the contract with the Air Company was entered into. The Council therefore cannot have any legitimate grievance against the Government for entering into this contract. There cannot be any doubt that if the survey from air is successful it will be very satisfactory—it will mean lesser harassment to the tenant and to all parties concerned; it will perhaps be cheaper too for Government and all parties concerned but they could not successfully produce satisfactory maps within the time fixed by the contract, but later on the maps which they have produced have been tested and found to have improved very much but there is no question of payment on the original contract because that contract has been cancelled.

As regards Mr. Thompson's question I will say this that the new experiment is on a 2½ square mile area or thereabouts out of a total area of about 1,600 square miles and it is rather premature for us to decide anything definitely and it was not possible to complete the khanapuri of the district from maps of this limited area.

Mr. PRESIDENT: The maximum time-limit on this item having been reached I will forthwith put to vote such questions as are necessary to dispose of the demand under discussion.

The motion that the demand for Rs. 16,84,000 under the head "5C.—Land Revenue—Survey and Settlement—Major Settlement Operations"

be reduced by Rs. 51,700 was put and a division taken with the following result:—

AYES.

Ahamad, Maulvi Asimuddin.
Atiquilah, Mr. Syed Md.
Bagchi, Babu Romes Chandra.
Banerjea, Dr. Pramathanath.
Banerjee, Babu Promotha Nath.
Bannerjee, Babu Jitendralal.
Biswas, Babu Surendra Nath.
Bose, Babu Bejoy Krishna.
Chakraburtty, Babu Jatindra Nath.
Chakravarti, Babu Jogindra Chandra.
Chatterjee, Srijut Bijay Kumar.
Chaudhuri, Maulvi Nurul Huq.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dutt, Babu Saral Kumar.
Ganguly, Babu Khagendra Nath.
Ghose, Babu Amarendra Nath.
Gupta, Mr. Jogesh Chandra.
Neque, Kazi Emdadul.
Khan, Khan Sahib Maulvi Muazzam Ali.
Maiti, Babu Mahendra Nath.
Maitra, Srijut Jogendra Nath.
Mukherjea, Srijut Taraknath.
Nasker, Babu Hem Chandra.
Pal Chaudhuri, Mr. Ranjit.
Rahman, Maulvi Azizur.
Rahman, Maulvi Shamsur-.
Ray, Dr. Kumud Sankar.
Ray, Srijut Radha Debinda.
Roy, Babu Manmatha Nath.
Roy, Dr. Sidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarker, Babu Haliniranjan.
Sen, Srijut Nagendra Nath.
Sen Gupta, Mr. J. M.

NOES.

Addams-Williams, Mr. C.
Afzal, Maulvi Syed Muhammad.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Blair, Mr. J. R.
Casselis, Mr. A.
Chaudhuri, Khan Bahadur Maulvi Nazzar Rahman.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur,
Clark, Mr. I. A.
Cohen, Mr. D. J.
Dash, Mr. A. J.
Drummond, Mr. J. G.
Eddis, Mr. A. McD.
Forrester, Mr. J. Campbell.
Fyfe, Mr. J. H.
Ghose, Mr. M. C.
Haque, Khan Bahadur Maulvi Azizul.
Hegg, Mr. G. P.
Hosain, Nawab Musharruf, Khan Bahadur.
Huq Khan Bahadur Maulvi Ekramul.
Hussain, Maulvi Latafat.
Jenkins, Dr. W. A.
Khan, Maulvi Tamizuddin.
Laird, Mr. H. S.
Lamb, Mr. T.
Maguire, Mr. L. T.
Marr, the Hon'ble Mr. A.
McCluskie, Mr. E. T.
Mitter, the Hon'ble Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. N.
Mukerji, Mr. S. C.
Ordish, Mr. J. E.
Philip, Mr. J. Y.
Philpot, Mr. N. C. V.
Prentice, Mr. W. D. R.
Rauf, Maulvi Syed Abdur.
Ray, Babu Nagendra Narayan.
Ray Chaudhuri, Mr. K. C.
Rose, Mr. G. F.
Roy, Mr. Bijoy Prasad Singh.
Sarker, Rai Sahib Rebati Mohan.
Sen, Mr. Satish Chandra.
Sinha, Raja Bahadur Bhupendra Narayan.
Stapleton, Mr. H. E.
Tate, Major General Godfrey.
Thomas, Mr. H. W.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Wordsworth, Mr. W. C.

The Ayes being 37 and the Noes 49, the motion was lost.

The time-limit under the head "5.—Land Revenue" having been reached the following motions were not put:—

Rai SATYENDRA NATH ROY CHOUDHURI Bahadur: "That the demand of Rs. 2,71,000 under the head '5C.—Survey and Settlement—Minor Settlement Operations' be reduced by Re. 1 (to discuss the policy of the Government with regard to temporary settled estate, point out its defect and suggest measures)."

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 44,07,000 under the head '5.—Land Revenue' be reduced by Rs. 14,00,000 (on the ground that the Department is spending money in an extravagant manner and there is no necessity for such highly paid officers)."

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 44,07,000 under the head '5.—Land Revenue (Reserved)' be reduced by Rs. 8,38,279."

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 44,07,000 under the head '5.—Land Revenue (Reserved)' be reduced by Rs. 1,50,000."

Babu NALINIRANJAN BARKER: "That the demand of Rs. 44,07,000 under the head '5.—Land Revenue (Reserved)' be reduced by Rs. 1,00,000."

Srijut NAGENDRA NATH SEN: "That the demand of Rs. 44,07,000 under the head '5.—Land Revenue' be reduced by Rs. 100 (to draw attention to the fact that the excess realisations on account of Survey and Settlement and Record of rights operations are not returned)."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 44,07,000 under the head '5.—Land Revenue (Reserved)' be reduced by Rs. 5 [as a protest against the action taken by the Government in conection with the Bengal Tenancy (Amendment) Bill]."

Srijut NAGENDRA NATH SEN and Maulvi SHAMSUR-RAHMAN: "That the demand of Rs. 44,07,000 under the head '5.—Land Revenue' be reduced by Re. 1 (on the ground that the revenues of temporary settled estates in the Khulna district have been abnormally increased, and that Government have not yet brought up any Revenue Law Bill)."

Maulvi NURUL HUQ CHAUDHURI: "That the demand of Rs. 44,07,000 under the head '5.—Land Revenue' be reduced by Re. 1 (to express disapproval of the policy of the Government for its scanty recognition of the claims of the rural and agricultural interests as compared with the urban and industrial interests in making provisions in the budget for their respective welfare)."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 44,07,000 under the head '5.—Land Revenue (Reserved)' be reduced by Re. 1 [as a protest against the support of the Government members of section 26F of the Bengal Tenancy (Amendment) Bill]."

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 44,07,000 under the head '5.—Land Revenue' be reduced by Re. 1 (on the ground that this Council has no confidence in this department as during the last famine no proper relief was given)."

The motion that a sum of Rs. 44,07,000 be granted for expenditure under the head "5.—Land Revenue" was then put and agreed to.

[At 4 p.m. the Council was adjourned and it reassembled at 4-15 p.m.]

6.—Excise.

The Hon'ble Mr. A. MARR: Mr. President, Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 21,96,000 be granted for expenditure under the head "6.—Excise."

The summary of these figures will be found on page 47 of the Budget and the details are given in the subsequent pages. It will be observed that the corresponding demand in the current year's budget was Rs. 22,39,000, the reduction being due mainly to a reduction by the Government of India in the cost price of opium from Rs. 23-5 to Rs. 22-7 a seer. It is also expected that the consumption of opium will itself decrease slightly, so a smaller quantity will be required for issue to opium shops.

The various budget items generally show little change from the figures of last year, such variations as exist are attributable to such incidental matters as leave applications and officiating arrangements. The incremental time-scales of pay naturally have their effect and these have been provided for, but the changes attributable to this head are more or less uniform.

New expenditure includes funds for the construction of quarters for the staff in Jalpaiguri. I need hardly remind the House that the climate in Jalpaiguri ranges from extreme dampness to a considerable degree of cold. The district is still to a certain degree unhealthy, and it is only right and proper that our touring officers should be given reasonable housing accommodation. It is the least we can do in order to secure the health and efficiency of the Excise force.

The additional clerk at Jalpaiguri is justified by the great increase in revenue in that district in the last few years, and the House will readily understand that this increased revenue means increased work, and this has called for additional establishment.

With these few words, I beg to move the motion standing in my name.

The following motions were called but not moved:—

Srijut RADHA GOBINDA RAY, Mr. P. C. BASU and Kazi EMDADUL HOQUE: "That the demand of Rs. 87,000 under the head '6.—Excise—Superintendence' be refused."

Babu AKHIL CHANDRA DATTA: "That the demand of Rs. 87,000 under the head '6A.—Excise—Superintendence' be reduced by Rs. 37,000."

Babu KHAGENDRA NATH GANGULY: "That the demand of Rs. 87,000 under the head '6A.—Excise—Superintendence' be reduced by Rs. 13,000."

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 87,000 under the head '6A. Excise—Superintendence—Administrative Establishment' be reduced by Rs. 100 (to call attention to the maladministration of the department and to the question of female licensees)."

Babu MANMATHA NATH ROY: "That the demand of Rs. 87,000 under the head '6A.—Excise—Superintendence' be reduced by Rs. 100."

Mr. S. C. MUKERJI: Mr. President, Sir, I beg to move that the demand of Rs. 87,000 under the head "6A.—Excise—Superintendence" be reduced by Re. 1 (to raise a discussion on the policy of vending excise shops).

Sir, I move this motion with a full sense of responsibility. I feel that the matter which I shall discuss needs very careful consideration at the hands of the Excise Department and the Hon'ble Member in charge of that department. It is a matter of profound satisfaction to me that this subject, *viz.*, the policy underlying the granting of excise shops, has attracted great public attention, so much so that this was reflected in the views expressed by hon'ble members of this House only recently, and so much so that it ultimately led to the downfall of a Minister.

Sir, I shall bring up one particular case— one among many others— which will convince the House that I am justified in raising this discussion regarding the policy underlying the grant of licences for excise shops. I refer to the case of granting a licence for a shop located at 3/1, Bowbazar Lane. This case was also referred to in the questions which I sent in for being answered in this House by the Government. Before discussing this case, I want to ventilate a legitimate grievance of mine. A number of questions were sent in by me and they were duly passed by you, but those questions have not yet been answered in this House. I wish I had the answers to those questions before me to-day, as they would have been of great help to me. I have had answers to

only two questions to-day; the others still remain unanswered. However, I have no other alternative but to put up with the inconvenience to which I have been put.

Sir, I put a question regarding the grant of a licence for the excise shop at 3/1, Bowbazar Lane. Originally, a licence for this shop was granted to one Panna Lal Shaw. This Panna Lal Shaw died on the 30th of April, 1928. Before the body of this man was cremated, the Collector of Excise—I think it was Mr. F. A. Wilson, though I am not quite sure of it—granted a licence for this shop to one Satya Priya Guha, who, I understand, is a son of our friend, Mr. P. N. Guha, a member of this Council. The matter went up in appeal to the Commissioner of Excise and Salt, Mr. G. P. Hogg. The judgment which was delivered by Mr. Hogg in regard to this appeal has raised him greatly in the estimation of the general public—not only in the estimation of people who are favourably disposed towards Government, but also in the estimation of the Swarajists, because that judgment was published *in extenso* in their organ, *Forward*. Mr. Hogg in the course of his judgment remarked: "Almost before the cremation ceremony was over, the widows of the deceased were pushed out into the street—if I may put it that way—and left to meet as best as they might the pending liabilities of the shop and the demands of the unfortunate salesmen, who were so suddenly deprived of their means of livelihood. Such proceedings are to my mind indefensible." Later on, Mr. Hogg remarked: "After all, salesmen are entitled to be treated as human beings. They are not chattels to be handed over from one man to another at the arbitrary will of the Excise staff." I would draw the attention of the Hon'ble Member particularly to the following remarks of Mr. Hogg, *viz.*, "My sole object is to call attention to the nature and extent of the consequences that arose from the Collector's hasty order." Mr. Hogg also said: "It has been urged before me that I should cancel the selection made by the Collector and grant the licence to Babu Bijay Chand Roy, son-in-law of the late vendor. Various arguments in support of these suggestions have been advanced, and I agree that they are not without weight." After this appellate judgment was passed, this shop was settled temporarily with Bijay Chand Roy, but lo! the wonder of wonders is that after five months Bijay Chand Roy is thrown overboard, the two Hindu widows are stranded, and, in the language of Mr. Hogg, pushed out into the street, left without any means of livelihood, and the licence for the shop is granted to two men whose names the Hon'ble Mr. Marr has given us to-day, viz., S. C. Chakraberty and Gopinath Shaha with the word "Mandal" within brackets. This is very significant. I shall presently come to this "bracketted" mystery and also to S. C. Chakraberty, a gentleman who is connected with the *Vote Ranga*, a vernacular daily. (A Voice: He is present here.) I do not care whether he is present here or not.

Mr. PRESIDENT: Mr. Mukerji, you need not take any notice of such remarks.

Mr. S. C. MUKERJI: Now, Sir, who is this Gopinath Shaha (Mandal)? He is the son of one Braja Kishore Mandal, of 32/1, Mandal Street. This Braja Kishore Mandal was "rusticated" by the Excise Department—I mean, his name was struck off the rolls of excise vendors —most probably by Mr. F. A. Wilson, the Collector of Excise in Calcutta, and his son was chosen as a fit person to hold the licence of this shop under a different name. Why did he conceal "Mandal"?

4-45 p.m.

Why did he come as Gopinath Shaha? Why did not he come out as Gopinath Mandal? I think that "Mandal" was omitted from that application because of a trenchant speech delivered by Babu Jitendralal Bannerjee on the 13th March, 1928, in which he drew the attention of the Hon'ble Minister that further licences ought not to be given to the Mandal family which had already got a number of shops. That is the reason why "Mandal" was concealed: that is the reason why he went to the Excise Department as Gopinath Shaha; and that is the reason why he concealed his address. His address is 32/1, Mandal Street. He concealed that fact and gave the Excise Department another address—an address which is his father-in-law's—in order to hoodwink the Excise Department, and this is a man whose name is not to be found in the special list, a man who can hardly write his name, an absolute gnoramus, the son of a rusticated ex-vendor, Braja Kishore Mandal. Then, why was this shop given to Sailendra Nath Chakravarti? Because he belongs to a paper—an influential vernacular paper—a paper which takes to task all classes of people, and it was in order to gag the mouth of that paper that this shop was given to him. I ask, is this fair? This is not fair. This is an instance of flagrant disregard of public opinion. The matter needs looking into, and the wonder of wonders is that that shop has again been resettled with this man. But perhaps the answer will be that when these men have given satisfaction, why should they be turned out? I ask, did not Bejoy Chand Roy give full satisfaction? Did he not give more satisfaction, so much so that the shop was temporarily settled with him by Mr. G. P. Hogg? Sir, I stand for justice, I stand for righteousness. It is after all righteousness that exalteth a nation. I take my stand on that, and I am perfectly sure that if the Hon'ble Member looks into this case he will right the wrong done to this man. That is what I expect from the Hon'ble Member. I am perfectly sure that when the division bells ring the whole House will respond to my motion and will vote for it without a single dissentient voice to show that the Bengal Legislative Council stands for the vindication of the rights of the people, for the

righting of wrongs and for seeing that justice is done to every one however poor, however uninfluential he may be. I take my stand on that ground and on that ground alone.

Dr. Sir DEVA PRSAD SARBADHIKARI: Sir, the examination of the Excise policy of Government in this Council ought, I think, to be on a larger platform, on a broader basis, than on the details of an individual case such as the one which has been brought to notice. I see here several members of the now defunct Licensing Board who will bear me out when I say that with regard to the details of settlement of licences, the Licensing Board has never interferred. But, Sir, if individual cases are to be placed before the House, I could multiply such cases. Some of them have been mentioned before. I may particularly mention the case of Eugene and Company which was turned down unanimously by the Licensing Board; the members voting included the Commissioner of Police, the Commissioner of Excise, the Collector of Excise, all the representatives of the Municipality of Calcutta and of the public of Calcutta and the Temperance Federation. But, lo and behold! by some mysterious means, which is not revealed, that licence has been restored. And where was that licence granted? It was in the Bowbazar area which is littered all over with liquor shops —east, west, south and north. Within the area of half a mile there are 8 of them,—one since abolished including the Bowbazar shop which has been mentioned. Then, Sir, take the case of the Chinese restaurant which was as strongly opposed by the Commissioner of Police as possible. That also has somehow or other been given. I do not want to identify myself with these individual cases. The department may claim that they are the sole and supreme power with regard to the granting of licences: all that the Licensing Board had to do was to advise as to the location of the shops and the ferm and condition of licence. That, however, does not preclude the general public of Calcutta, who after all are the real custodians of the moral and civic interest of the city, from bringing these things to the notice of the Council. I speak from another point of view. Ever since the time that a deputation waited on Lord Crew and later on on Lord Hardinge, what has been the declared policy of Government—a declared policy, which I am glad to say, has been given effect to as far as possible in the past. It is the British solution of minimum consumption and maximum revenue. Unfortunately, Sir, we live in days when, under the Meston Award, the more Bengal litigates, the more Bengal drinks, the more it is supposed to prosper. The unfortunate financial position of the province is there and we cannot shut our eyes to that. Therefore, temperance men and representatives of the general public have been obliged for the time being to accept that principle, *viz.*, minimum consumption and maximum revenue—maximum revenue not only with a view to improving the finances of the province, but also for checking consumption and illicit

traffic. Sir, the temperance people, the representatives of Calcutta, and Government have been a fairly happy family for a long time. We as representatives of the Temperance Federation have always appreciated the consideration and sympathy which we received from Government in the past, particularly from Mr. Moberly, Mr. Mukherjea, Mr. Hogg and Mr. Raha, which, though not full, yet has gone on steadily step by step and was bringing us nearer and nearer to our goal of total prohibition. The Licensing Board and the Temperance Association had not declared themselves as prohibitionists, and accepted this principle, in the hope that as time went on, they would, with Government help and with growing public opinion behind them, be able to reduce the consumption to the minimum without hurting the finances of the province. Laterly, however, Government for reasons not apparent have gone back on the old principle. They are therefore assailed not only with regard to the administrative policy but also with regard to details of such cases as have been referred to. All these things happened after the Licensing Board was conveniently got rid of. I shall not refer to the various efforts for resuscitating the Board. I do not attach importance to any particular case, but I think that the broader policy of Government should be considered—the policy of minimum consumption and maximum revenue. But the effect of the present policy of Government is that consumption is steadily rising to-day, shops are being added to and all that was promised in the past has not been carried out. That is the point of view that I want to press on the Council to-day. I do not object to the details which have been put before the House being taken into consideration, but the higher and broader policy should not be lost sight of. We rely on our Swarajist friends for putting pressure on the Government to follow that declared policy, if the country is to be saved from ruin by the demand of drink and drugs, and I fervently appeal to Liberals, Swarajists and Government alike, for there can be no possible difference of opinion in so vital a matter.

Nawab MUSHARRUF HOSAIN, Khan Bahadur: Sir, my friend, Mr. S. C. Mukerji, has just now dealt with one Excise case—that of No. 3/1, Bowbazar Lane, and cast aspersions on my action as Minister. My friend ought to have known that on the 30th April, 1928, when the Collector of Excise decided against the vendor of this shop, this poor Minister was not in Calcutta. He was in Darjeeling. Mr. Mukerji began to cast aspersions against my conduct, although it was the Collector who decided the case, thereby insinuating that the Minister was responsible for the action of the Collector.

Mr. S. C. MUKERJI: On a point of personal explanation, Sir. I see my hon'ble friend has some difficulty in following English. I never said that the Minister did this. I definitely said that Mr. Wilson,

the Collector, was responsible for this, and in spite of that the Nawab gets up and says that Mr. S. C. Mukerji spoke against the Minister.

Mr. PRESIDENT: I think Mr. Mukerji's statement is correct.

Nawab MUSHARRUF HOSAIN, Khan Bahadur: Then he admits that the Minister was not responsible for the action of the Collector of Excise. The moment it was brought to the notice of the Commissioner of Excise, the matter was set right. An individual officer might have made a mistake, but the superior officer immediately corrected the mistake.

5 p.m.

Then he raised the question of the licence that had been granted to some Mandal and Sailendra Nath Chakravarty. I told the House on that very day that this Pannalal Shaha got his license in auction some time in 1917. It cannot be considered an heritable and a transferable property, and the policy of Government had been at that time—I do not know what the policy of Government will be in future—not to encourage inheritance in granting licences to the vendors. The present policy of Government is obnoxious, and I had been thinking so long whether it was possible to revert to the old system of auction to avoid all these troubles of selecting particular persons for particular shops. Had my friend made out a case and could impress the House that the system was wrong and that a change was necessary, I would have gladly supported him. The auction system was prevalent in Bengal before. It is still prevalent in Bombay and is bringing about Rs. 6 crores of revenue from half the population. If that system is followed, Bengal will have more money and, I believe, will not suffer from all these troubles that the Government is now suffering from. But unfortunately my friend did not come to that point. Without making any suggestion of that sort he brought to the notice of this House two or three cases which he himself knows and the irregularities which he thinks exist in the system. I would cut short the whole thing and say that if you think that this system is not working well, then do away with the system, do not allow the shops to go by inheritance, let it be settled by auction and grant the licence to the highest bidder, and it will bring in more revenue to Government as in Bombay. Following the priniciple that it should not be made hereditary, I think the Collector simply carried out the policy of Government and did not grant it to the heirs of Pannalal Shaha. With regard to the action taken by Government, I have not the files in my possession now and I think Mr. Marr will reply to that. So far as Bijay Chand Roy was concerned, he was considered undesirable first by the Collector and then by the Commissioner of Excise, and I do not know whether he was so considered by any other superior officer. This Bijay Chand Roy was condemned as a drunkard and that

condemnation came not from one person but from a series of officials. I think this ought to satisfy my friend, Mr. Satis Chandra Mukerji, on the point that he has raised that the shop should have been settled with the heir of Pannalal Shaw. I think I ought to tell the House my own experience of working the system. I have been bothered and pestered by the persence of many eminent friends of mine, not excluding Mr. Satis Chandra Mukerji, with petitions and prayers for granting licence to this and that man. The system which is responsible for this sort of pestering of the Minister—the higher officials have nothing to do with these affairs—ought, I think, to be discontinued, and I fully agree with Mr. Mukerji when he says that the system is not working well. I am not a lover of this system, nor am I fond of it, but what I say is this, that if my friend wants to change the system and if the whole House agree with him, I would also agree with them. So you can easily understand the position of the Minister. I had been pestered by the presence of men like my friend, Mr. Satis Chandra Mukerji—I do not like to mention the names of many others who came to me with petitions for granting licences to their nominees. (Cries of "Shame," "shame.") I think this sort of thing ought not to be encouraged in future, and I appeal to my friend Mr. Marr to seriously consider this proposition when a new Ministry, if any, is formed and to change this system.

Next comes the question of the Licensing Board, which my friend Sir Deva Prosad Sarbadhikari has raised. So far as the formation of the Licensing Board is concerned, I may tell the House that every body wanted to be a member of the Licensing Board; members from almost every group of this House wanted to be on the Board. (A VOICE: Except the European group.) Several prominent people, even many newspaper representatives—I do not mean my friend, Mr. Wordsworth —gave me a party simply to become a member of the Licensing Board

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Khan Bahadur Maulvi EKRAMUL HUQ: On a point of information, Sir, may I know whether Sir Deva Prosad Sarbadhikari gave him a party to become a member of the Board?

Nawab MUSHARRUF HOSAIN, Khan Bahadur: I do not like to answer that point. To form a new Board with so many people who were my voters and who were pestering the Minister to be on the Licensing Board would have been suicidal for me without getting the budget passed. So I thought it prudent to wait till these people gave up their agitation and then to form a new Board. Had any body else been in my place he would have understood how difficult it was to dissatisfy his own voters in the Council who wanted to be members of the Licensing Board but who might have been taken on some ground

or other. So this explanation which I have given to my friend, Sir Deva Prosad Sarbadhikari, through this House, will convince him that to depend on the votes of my friends here to keep up my position and to form the Licensing Board was humanly impossible.

As regards Eugene & Co.'s case, I again repeat that my friend, Mr. Marr, will reply to that. This shop was in existence for 70 years. It was brought to my notice by the department in the usual course that this shop should be revived. Of course, you know, as usual, I put my signature on the case because these are things which are done in the usual course of business. If at all any pleader appeared in this case, probably he appeared before the Excise Commissioner and not before me. I could not remember the case the other day. The pleader did not appear before me; he might have appeared before the Excise Commissioner. So far as I remember the case, it came up to me in the usual form and I put my signature on it.

Then my friend has referred to another case. As regards the Chinese restaurant, my friend, Sir Deva Prosad Sarbadhikari, waxed eloquent over that. May I ask him whether it is not the fact that the Licensing Board recommended the granting of that license to that particular man?

(Here the member having reached the time-limit was allowed two minutes more to conclude his speech.)

The Licensing Board rather selected that site. Then a quarrel arose between the Licensing Board and the Commissioner of Police. It went up to my friend, Mr. Moberly, but how it came up to me afterwards I do not know. However, it came to me and the question was whether the Commissioner of Police ought to be supported or whether the Licensing Board ought to be supported. In deference to the wishes of the people of the country I thought the Licensing Board should be supported, and I supported it; if by supporting it I did any wrong, I purposely did it, and I am now convinced that I did wrong.

This is all that I had to say in the short space of time at my disposal.

Mr. JOGESH CHANDRA GUPTA: Sir, it was indeed very interesting to hear from Nawab Musharruf Hossain the reasons which prevented him from forming the Licensing Board. The Nawab has very clearly told us to-day that because so many of his voters were pressing him for a seat on the Licensing Board hence it was not possible for him to form the Board. I say, Sir, that this statement carries with it the condemnation of the Ministry of Excise. If such a useful body as the Licensing Board cannot be formed by the Minister being afraid of displeasing some of his voters, because some of them cannot be made members of that Board, I say that kind of Ministry ought not to exist.

5-15 p.m.

Luckily Nawab Musharruf Hosain did not point to this side of the House when he said that many from the other side of the House wanted to become members of the Licensing Board. But I must repudiate from this side of the House one insinuation that he has made, and I challenge him to give the names of those members who sit on the Swarajist benches who ever went to him for getting any licence or other favour. He has not been able to give any name—obviously he cannot.

Now the next thing that I have got to say is this: the Nawab has said that the system is at fault, and he repeated many times that the system of selecting candidates for the licensing shops was wrong, and he was thinking, while he was the Minister, of reverting to the original auction system. I believe he thinks that the next Minister who comes should not enjoy the privilege and advantage of having any voice in the granting of licences in order to consolidate his position. I wish the Nawab, while he was a Minister, had protested that the system was wrong, and it ill lies in his mouth after he is out of that office to say that no Minister should have any voice in the granting of licences, I must say that we would welcome such steps which will prevent any possibility of jobberies being done from that high office—because the Minister sits there as the representative of the people. When jobberies are committed with the connivance of the Minister it is a discredit to the House. I am aware that many kinds of jobberies are carried on in the matter of granting licences and other patronages but if these are made by the permanent officials or outsiders, that would not reflect to our discredit so much as when Ministers are found to practise all that sort of thing.

Sir, there has been one statement by the Minister which needs repudiation with regard to the Pannalal Shaha's case. After the discussion in this House Pannalal Shaha's representative or successor, whoever he may be, came up with a petition before Government and that petition is being considered by Mr. Marr. I can contradict the Nawab Sahib by telling the House that the succession of that licence was wanted by one Bijay Chand Roy to whom a promise was given by the Collector of Calcutta that he would be given a licence. He had been given some shop in the Chatawalla Galli. He spent some money on account of the order of the Excise Department but that shop was ultimately withdrawn. I am not pleading for him here, and I know that this matter is being dealt with by a member of the Government. We hope that full justice will be done, and I should say in this Council that justice is necessary. I should, however, repudiate the suggestion that the man who wanted the succession of that licence was an undesirable person who was not liked by the department. That was the person whose case the department—at least the Collector of Excise was

promise-bound to consider. He is the son-in-law who was for 17 years in that business, was given a shop by the Excise Department but he could not get possession of that shop. That is all that I need say, I do not hold any brief for this matter. I do expect that the Nawab Sahib will support.....(interruptions by Nawab Musharruf Hosain, Khan Bahadur). I think I am making the Nawab Sahib's position very very uneasy. I only expect that as he himself has condemned the present policy he will support Mr. S. C. Mukerji and walk into the same lobby with us after his recent release from the Government benches.

Mr. K. C. RAY CHAUDHURI: I would not take much of the time of the House on questions of this kind which are trivial compared with the larger policy behind the Excise administration. My friend, Nawab Musharruf Hosain, has misunderstood the difference between what we call the fixed-fee system and the auction system. The auction system has been condemned as inequitous and harmful, and I am surprised that it is still in vogue in Bombay. I come from Chandernagore where this system is in vogue, and I know that there the liquor vendor has to bid the highest price for his shop and he makes a profit by adulterating his stuff. Naturally he has to make money by hook or crook. That is why we object to the auction system. That is only one of the reasons however.

My second reason is that in Calcutta the liquor vendors—I have nothing to say against the Shahas—form themselves into a group and try to bid for all the shops with the hope of exercising an absolute control over them. But the worst of the auction system is that persons are supplied with adulterated liquor which thus becomes poisonous. This is inevitable if you sell your shop to the highest bidder. The vendor must make the most of it even by breaking Excise rules.

There is another misunderstanding in the mind of the Nawab Sahib. He is under the impression that the Licensing Board has been at the root of the trouble. Nothing of the kind. The Board had been in existence ever since the Reformed Council, and there were no difficulties when the Hon'ble Nawab Bahadur Nawab Ali Chaudhuri was in charge of Excise. How is it that the trouble began to crop up during the time of the outgoing Minister? Why did the Nawab Musharruf Hosain allow any and every body to come and discuss about Licensing Board with him? Why did he encourage them to pester him at all? Nawab Musharruf Hosain has misunderstood the whole thing. They came and secured promises from him and that is why the trouble began.

Nawab MUSHARRUF HOSAIN, Khan Bahadur: On a point of personal explanation, Sir. My friend has misunderstood me. I was not speaking of the late Licensing Board but about the formation of the new Licensing Board.

Mr. K. C. RAY CHAUDHURI: Sir, the real explanation of the trouble lies in the fact that the Nawab Sahib indiscreetly but not deliberately ignored the views of the Temperance Federation and wanted to bring a representative of the trade into the Licensing Board. That annoyed the temperance group and people said that behind it were certain interested parties who persuaded the Nawab Sahib that unless trade is represented that Board cannot function well. That was the real explanation why the Licensing Board was dissolved. He could not satisfy every body and he says, "I was simply putting it off till the budget voting was over." Why should he wait for that? His predecessor, the Nawab Bahadur Saiyid Nawab Ali Chaudhuri, had never thought of such a course when he was the Minister in charge. Sir, every body wanted the Board, even the Corporation of Calcutta wanted it. But it is neither here nor there.

Sir, I think that some new system has got to be found in place of the present system of vending liquor shops. Under the present system favouritism is bound to be there.

Mr. PRESIDENT: You need not pursue that point. You are only to deal with the Licensing Board.

Mr. K. C. RAY CHAUDHURI: I say that every body wants it. Even the Corporation of Calcutta wants it, and I may make this constructive suggestion that instead of having the present vending system we should have a public house trust, the profit going to charity. That will be quite practical here. It is already followed in Glasgow and it is very successful elsewhere.

Mr. PRESIDENT: I had better remind you of what I said before; you should develop your arguments on the lines of the particular motion now before the House. Of course certain facts may be mentioned by way of illustration but you should confine yourself to the issues involved in it and not stray beyond your point.

Mr. K. C. RAY CHAUDHURI: In conclusion I would say—take away the power of granting the licence to vendors from the control of the Collector of Excise and give it in the hands of a Board and in that all these inequities will pass away.

Khan Bahadur Maulvi AZIZUL HAQUE: As one belonging to mufassal, I am surprised at the excise policy which is followed in Calcutta.

Mr. PRESIDENT: I do not want you to repeat what has already been said.

Khan Bahadur Maulvi AZIZUL HAQUE: The excise policy of Calcutta has been worrying us and making our lives miserable for some time past.

Mr. PRESIDENT: We are not discussing the excise policy. We are only discussing the policy of vending excise shops.

Khan Bahadur Maulvi AZIZUL HAQUE: I personally think in view of the discussion that has been carried on, each and every one of us feel that the time has come when a little revision of the present system is needed.

5-30 p.m.

I say that the time has come for us when we should consider whether or not we should have a Board, a Board not on the lines which is existing for the time being but on some other reformed lines by which it will be possible for us to have the licensing of these shops without any scope being given to one side or the other of having to decide against or in favour of a particular party or individual. I am not personally aware up till now, and I congratulate myself that I have kept myself free from all these things, as to why the Minister's life should be made miserable by individual requests and I personally favour the idea that the position of the Minister should be strong enough to override individual idiosyncracies or demands or *abdars* of a particular man.

Mr. PRESIDENT: We have heard enough of that and I will not allow you to pursue that point any further.

Khan Bahadur Maulvi AZIZUL HAQUE: I am not saying that. I will only conclude by saying that in view of these discussions it is desirable that the Minister should not in any way be confined to the policy of granting licences but that he should have a Licensing Board along with him to decide these matters in conjunction with a Board which might be convenient for that particular place. After all I am suggesting this. It is not merely of this question but also of the wide excise policy; the Minister has got to hear many things just as the Collector and the Licensing Board has to hear many things about the mufassal. In these matters he will be always guided by the Licensing Board. That is my point. After all man is human and just as a Minister is likely to be pestered a member of Government who is

also human will also be pestered and in order to avoid that I should suggest that in all these matters it would be preferable to have a Licensing Board.

Mr. J. CAMPBELL FORRESTER: As far as I can make out from the discussion, it is evident to me that an injustice has been done and done by some one in authority and as this House's duty above all is to see that its servants deal out justice even-handed so that when a case has been brought forward such as we are discussing at present, we must have a strict enquiry into the whole question and this is the only method that will satisfy the mover of this motion and his supporters.

The Hon'ble Mr. A. MARR: I hope this House will excuse me if I deal with this matter rather shortly. I am not an expert in excise and I am sorry that my colleague, Mr. Moberly, was not put in charge of this department as he knows all about it.

We have heard this afternoon a good deal about certain individual cases which have happened in the Excise Department. I do not propose to discuss any of them here. I am afraid I know nothing about them except what has been said here to-day. I do not propose to enter into those cases as I do not think that this is the proper place for discussing in detail individual cases of settling excise shops. I think such cases should be dealt with by the department itself and by the Licensing Board. Mr. Mukerji has referred to certain questions which he has put in and which have not yet been answered. I am sorry that these have been delayed, but I understand that the file on that subject has now been sent to the Legislative Department and probably an answer will be given in this House day after to-morrow.

We have heard a good deal this afternoon about the Licensing Board. I have dealt with that file and have made a query on it which I am told has been answered, and I can assure the House that orders will be issued before the end of this month. In this connection I must say that Mr. K. C. Ray Chaudhuri has voiced a new idea and I do hope that the House will not take my delay in dealing with this matter as an attempt on my part to cadge some votes to-night. I want to get this matter pushed through as quickly as possible.

As regards the general policy of the department, that matter has already been raised repeatedly. A resolution put out in 1926—and I think I might just read what was said then—went on to say—

"The following measures taken by Government with a view to carrying out the policy of restriction and control over the consumption of alcoholic liquors and drugs may be specifically mentioned:—

(1) levy of gradually increasing rates of taxation on these articles with adequate and suitable regulations to control prices for the consumer;

(2) gradual reduction in the number of places of retail vend;

(3) effective control over manufacture and wholesale vend;

(4) regulation and gradual restriction of hours of sale; and

(5) suppression of illicit traffic as much as possible."

These five general measures were laid down then and I can assure the House that this policy is still being followed.

Mr. Mukerji has said that there should be minimum of consumption and maximum of revenue. Sir Deva Prosad Sarbadhikari has made a statement that consumption is increasing, as also the number of shops. That statement is incorrect and I want to have the contradiction on record. I do not want to bother the House with figures but if any one wishes to see them I can show that consumption has very very greatly come down. We have taken figures for the last 15 years and in Bengal the consumption of country spirit has decreased by 28·1 per cent., of ganja by 43·5 per cent., and of opium by 41·8 per cent. So in view of these figures, I cannot see how Sir Deva Prosad's statement is justified.

Mr. PRESIDENT: Mr. Marr, do you attribute that decrease to the present policy of vending excise shops?

The Hon'ble Mr. A. MARR: All I wanted to do is to make it clear that the statement of Sir Deva Prosad Sarbadhikari is not in accordance with —

Mr. PRESIDENT: The question before the House is the policy of vending excise shops, and, if I remember aright, Sir Deva Prosad Sarbadhikari wanted to show that by indiscriminate giving of licences consumption had increased and he thought that consumption could be reduced by a more careful and judicious giving out of the licences. You would be relevant if you could show that consumption had not increased or had actually decreased owing to the present policy of vending excise shops.

The Hon'ble Mr. A. MARR: I want to show that the decrease is due to the increased price of the excisable articles and the reduction in the number of shops.

As regards the general policy we have heard to-day about going back to the auction system and also of Mr. K. C. Ray Chaudhuri's alternative proposal, I do not think that I should commit my successor to any definite policy as regards the system of settling excise shops. It is not for me to do this as I am in charge of the Excise Department only for a short time. It will be for my successor, when he is appointed, to go into the whole question.

The motion that the demand of Rs. 87,000 under the head "6A.—Excise—Superintendence" be reduced by Re. 1 was then put and a division taken with the following result:—

AYES.

Ahamad, Maulvi Asimuddin.
Atiquilah, Mr. Syed Md.
Bagchi, Babu Romes Chandra.
Banerjea, Dr. Pramathanath.
Banerjee, Babu Promotha Nath.
Bannerjee, Babu Jitendralal.
Basu, Mr. P. C.
Biswas, Babu Surendra Nath.
Bose, Babu Bejoy Krishna.
Bose, Mr. S. C.
Chakrabortty, Babu Jatindra Nath.
Chakravarti, Babu Jogindra Chandra.
Chatterjee, Srijut Bijay Kumar.
Chaudhuri, Maulvi Nurul Huq.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dutt, Babu Saral Kumar.
Ganguly, Babu Khagendra Nath.
Ghose, Babu Amarendra Nath.
Goenka, Rai Bahadur Badridas.
Gupta, Mr. Jogesh Chandra.
Haque, Kazi Emdadul.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Mr. Razaur Rahman.
Maiti, Babu Mahendra Nath.
Maitra, Srijut Jogendra Nath.
Mukerjea, Srijut Taraknath.
Mukerji, Mr. S. C.
Nasker, Babu Hem Chandra.
Pal Choudhuri, Mr. Ranjit.
Rahim, Sir Abd-ur-.
Rahman, Maulvi Azizur.
Ray, Dr. Kumud Sankar.
Ray, Srijut Radha Gobinda.
Roy, Babu Manmatha Nath.
Roy, Dr. Bidhan Chandra.
Roy, Mr. S. N.
Roy, Mr. Kiran Sankar.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarker, Babu Naliniranjan.
Sen, Srijut Nagendra Nath.
Sen Gupta, Mr. J. M.

NOES.

Addams-Williams, Mr. C.
Afzal, Maulvi Syed Muhammad.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Blair, Mr. J. R.
Casselis, Mr. A.
Chaudhuri, Khan Bahadur Maulvi Hafizar Rahman.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Chaudhury, Maulvi Khorshed Alam.
Clark, Mr. I. A.
Cohen, Mr. D. J.
Dash, Mr. A. J.
Drummond, Mr. J. B.
Ghose, Mr. M. C.
Hogg, Mr. B. P.
Hosain, Nawab Muzharrul, Khan Bahadur.
Hussain, Maulvi Latafat.
Jenkins, Dr. W. A.
Khan, Maulvi Tamizuddin.
Lamb, Mr. T.
Maguire, Mr. L. T.
Marr, the Hon'ble Mr. A.
Mitter, the Hon'ble Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. N.
Ordish, Mr. J. E.
Ormond, Mr. E. C.
Philip, Mr. J. Y.
Philpot, Mr. H. C. V.
Prentice, Mr. W. D. R.
Rahman, Maulvi Shamsur-.
Rahman, Mr. A. F. M. Abdur-.
Rauf, Maulvi Syed Abdur.
Ray, Babu Nagendra Narayan.
Ross, Mr D. P.
Sarker, Rai Sahib Rebati Mohan.
Stapleton, Mr. H. E.
Tate, Major General Godfrey.
Thomas, Mr. H. W.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Wordsworth, Mr. W. C.

The Ayes being 42 and the Noes 41, the motion was carried.

5-45 p.m.

The following motion was called but not moved:—

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 87,000 under the head '6A.—Excise—Superintendence' be reduced by Re. 1 (to discuss the excise policy in regard to Superintendence)."

Mr. P. C. BASU: Sir, I formally move that the demand of Rs. 47,000 under the head " 6B.—Excise Bureau " be refused.

SECRETARY to GOVERNMENT, DEPARTMENT of AGRICULTURE and INDUSTRIES (Mr. G. P. Hogg): Mr. President, Sir, I am afraid that the use of the word " bureau " in connection with the Excise Bureau is likely to be misunderstood. The term " bureaucrat " has acquired a sinister meaning in Bengal and the use of the word " bureau " in connection with this section of the Excise Department has probably created some misunderstanding. Now, Sir, the function of this section of the Excise Department is this: the collection and dissemination of Excise information. It will be understood, Sir, that excisable articles are brought into this province from other parts of India and it is common knowledge that dangerous drugs are imported through the port of Calcutta. A large number of cases of that type are constantly being detected and the officers in this so-called bureau are engaged in collecting that information and publishing it for the information of the Customs Department and the Excise Departments of other provinces. This, I think, the House will agree is a reasonable and proper function of this section of the Excise Department, and I am unable to understand on what grounds it is proposed to cut down this allotment. Now, Sir, I might illustrate the use of this staff by mentioning a few of the cases which it has detected. In the year 1927-28, 31 cases connected with *ganja*, 32 opium and 2 *charas* cases were detected. In one case 5 maunds and 1 seer of opium were seized and the value at the Calcutta retail price is over Rs. 30,000. In another case 4 maunds and 36 seers of opium were seized of a value exceeding Rs. 29,000. Now, Sir, this contraband opium would ordinarily have gone into consumption in Calcutta or it might have been exported to Burma or other countries further east. It is therefore a duty which the Government of Bengal owes to itself and to Burma and other countries to stop this illegal contraband traffic in opium from other parts of India to far eastern countries. This work is done by the staff attached to this bureau and I submit, Sir, that if the Government of Bengal are to discharge their obligations under the Geneva Convention to stamp out the illicit traffic in opium, this staff must be retained. With these words, Sir, I oppose the motion.

The motion of Mr. P. C. Basu was then put and lost.

The following motions were called but not moved:—

Babu KHAGENDRA NATH CANGULY: " That the demand of Rs. 47,000 under the head ' 6B.—Excise Bureau ' be reduced by Rs. 20,000."

Babu MANMATHA NATH ROY: " That the demand of Rs. 47,000 under the head ' 6B.—Excise Bureau ' be reduced by Rs. 100."

Mr. P. C. BASU: "That the demand of Rs. 18,880 under the head '6C.—Excise—Presidency Establishment—Inspection and Prevention —Pay of Establishment—Temporary Establishment' be refused."

Mr. P. C. BASU: "That the demand of Rs. 23,000 under the head '6C.—Excise—Presidency Establishment—Rewards to private persons' be refused."

Maulvi ASIMUDDIN AHAMAD moved that the demand of Rs. 2,13,000 under the head "6C.—Presidency Establishment" be refused.

He spoke in Bengali, the English translation of which is as follows:—

"Sir, for about six years, I have been dilating on the prohibitions in our religion about the Excise Department and on the fact that it is a source of evil to man from all points of view, but Government have not paid any heed to my words.

Government say that the department is a source of revenue; but will Government make money by inducing people to commit sin and by ruining them?

Spirits and *ganja* ruin men's character, impoverish them and deprive them of their senses. Can any honest Government be a party to bringing the people under them to such a condition?"

Mr. PRESIDENT: Maulvi Saheb, you should not abuse the Government.

Maulvi ASIMUDDIN AHAMAD spoke in Bengali, the English translation of which is as follows:—

"Sir, I do not call the Government a dishonest Government, but my Swarajist friends ask if it is an honest Government.

Sir, if America has prohibited spirits and *ganja* by means of legislation, why may not Indians do the same? Why should not the Indian or Bengal Government do this?

The scandals in the Excise Department and the charges of corruption against it which have been one of the causes of the fall of the last ministry in Bengal, the facts exposed in the course of a long-drawn discussion which took place only a little while ago and those exposed by Mr. S. C. Mukerji in this House are indeed shameful.

I appeal to my friends not to encourage Government in their misdeeds by granting the present demand for the Excise Department."

Mr. PRESIDENT: I propose to have one discussion on motions Nos. 41, 42 and 43 as they are very much alike.

The following motions were called but not moved:—

Babu AKHIL CHANDRA DATTA: "That the demand of Rs. 2,13,000 under the head '6C.—Excise—Presidency Establishment' be reduced by Rs. 75,000."

Babu KHAGENDRA NATH GANGULY: "That the demand of Rs. 2,13,000 under the head '6C.—Excise—Presidency Establishment' be reduced by Rs. 30,000."

Mr. C. P. HOGG: Mr. President, Sir, the mover of this cut has attacked the Excise Department generally and he has announced that the general effect of the department is to demoralise the people of the province. Sir, that is a question which will be discussed when the general policy of the department comes up. For the present we are dealing with a proposal that a certain amount of money be provided for the Presidency Establishment and it is for me to justify that expenditure. Now, Sir, I would point out that this staff in Calcutta is responsible for the collection of 76 lakhs of rupees per annum. The amount collected per officer in the licensing branch is Rs. 8½ lakhs. For every rupee of expenditure Rs. 34 are collected. I submit, therefore, Sir, that the staff is not extravagant. I also submit that the expenditure is modest when the importance of the work done is considered. Then, Sir, this staff includes a Detective Branch which is engaged in the detection of Excise offences. Last year these offences numbered over 1,100. The Detective Branch exists to suppress the illicit trade in opium and other drugs and I submit that the expenditure incurred under that head is proper.

6 p.m.

Then, Sir, there is a third branch; a certain number of officers of this department are engaged in the supervision of laboratories in which alcohol is used for industrial purposes. These laboratories represent the growth of a new industry in Bengal. The alcohol which they use is under strict excise control, as it must be; and the Presidency establishment includes 6 Inspectors, 3 Sub-inspectors and 21 peons, who are engaged in the supervision of *industrial* alcohol, as distinct from alcohol which goes into human consumption. I submit that this House cannot dream of refusing expenditure for that purpose. With these words, Sir, I oppose this motion.

The Hon'ble Mr. A. MARR: Sir, I should like to add one word to what Mr. Hogg has said. I wish to impress on the House that the refusal of this sum will entail a very heavy loss to Government and also the closing down of all those private concerns which use industrial alcohol.

The motion of Maulvi Asimuddin Ahamad was then put and a division taken with the following result:—

AYES.

Ahamad, Maulvi Asimuddin. | Rahman, Maulvi Shameur-.

NOES.

Acharjya Chaudhuri, Maharaja Shashi Kanta.
Addams-Williams, Mr. C.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Blair, Mr. J. R.
Casselis, Mr. A.
Chaudhuri, Khan Bahadur Maulvi Hafizar Rahman.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Cohen, Mr. D. J.
Dash, Mr. A. J.
Drummond, Mr. J. G.
Forrester, Mr. J. Campbell.
Fyfe, Mr. J. H.
Ghose, Mr. M. C.
Ghosh Maulik, Mr. Satyendra Chandra.
Goenka, Rai Bahadur Badridas.
Hogg, Mr. G. P.
Hosain, Nawab Musharruf, Khan Bahadur.
Hussain, Maulvi Latafat.
Khan, Maulvi Tamizuddin.
Khan, Mr. Razaur Rahman.
Lamb, Mr. T.
Maguire, Mr. L. T.
Marr, the Hon'ble Mr. A.
Mitter, the Hon'ble Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. N.
Mukerji, Mr. S. C.
Ordish, Mr. J. E.
Ormond, Mr. E. C.
Philpot, Mr. H. C. V.
Prentice, Mr. W. D. R.
Ray, Babu Nagendra Narayan.
Rose, Mr. C. F.
Roy, Mr. Bijoy Prasad Singh.
Sarker, Rai Sahib Rebati Mohan.
Stapleton, Mr. H. E.
Suhrawardy, Mr. H. S.
Tate, Major General Godfrey.
Thomas, Mr. H. W.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Wordsworth, Mr. W. C.

The Ayes being 2 and the Noes 42, the motion was lost.

The following motions were called but not moved:—

Babu BEJOY KRISHNA BOSE: "That the demand of Rs. 2,04,000 under the head '6D.—District Executive Establishment —Pay of officers' be reduced by Rs. 70,000."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 8,08,000 under the head '6D.—Excise—District Executive Establishment' be refused."

Babu KHAGENDRA NATH GANGULY: "That the demand of Rs. 8,08,000 under the head '6D.—Excise—District Executive Establishment' be reduced by Rs. 1,00,000."

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 8,08,000 under the head '6D.—Excise—District Executive Establishment' be reduced by Re. 1 (to draw attention to the anomalous nature of granting licence to intending candidates)."

Babu MANMATHA NATH ROY and Mr. P. C. BASU: "That the demand of Rs. 2,58,000 under the head '6E.—Excise—Distilleries' be refused."

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 2,58,000 under the head '6E.—Excise—Distilleries' be refused (on the ground that it is against public morals to keep distilleries)."

Babu MANMATHA NATH ROY: "That the demand of Rs. 2,58,000 under the head '6E.—Excise—Distilleries' be reduced by Rs. 1,00,000."

Babu BEJOY KRISHNA BOSE: "That the demand of Rs. 2,58,000 under the head '6E.—Excise—Distilleries' be reduced by Rs. 58,000."

Babu KHAGENDRA NATH CANGULY: "That the demand of Rs. 2,58,000 under the head '6E.—Excise—Distilleries' be reduced by Rs. 40,000."

Babu MANMATHA NATH ROY: "That the demand of Rs. 2,58,000 under the head '6.—Excise—Distilleries' be reduced by Rs. 100."

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 8,53,000 under the head '6.—Excise—Cost of opium supplied to Excise Department' be refused (as against public morals)."

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 21,96,000 under the head '6.—Excise' be reduced by Rs. 5,00,000 (on the ground of extravagance)."

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 21,96,000 under the head '6.—Excise (Transferred)' be reduced by Rs. 96,000."

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 21,96,000 under the head '6.—Excise (Transferred)' be reduced by Rs. 30,748."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 21,96,000 under the head '6.—Excise' be reduced by Rs. 100. (Excise policy of Government)."

Babu AKHIL CHANDRA DATTA: I beg to move that the demand of Rs. 21,96,000 under the head "6.—Excise" be reduced by Rs. 100 (to protest against the immoral traffic).

Sir, under this motion I want to discuss the excise policy of Government. The demand is for Rs. 21,96,000 for earning Rs. 2½ crores of revenue. We have been insisting for some years past for what is called "total prohibition," but it is a pity that up to now Government has not even done so much as to accept the principle or the ideal of total prohibition, not to speak of any sincere attempt to give effect to that ideal. I think, Sir, it is too late in the day to argue out the question of total prohibition. The medical world has declared that so far as opium is concerned, it is nothing short of a poison. So far as alcohol is concerned, the position has been summed up recently by a doctor that it is a third-rate food, a second-rate drug and a first-rate poison; and, in fact, a great American authority has declared that opium is the greatest menace to the world, next only to one thing, namely, war. Now, India, as we know, produces about five times the opium, under the protection of Government, that is necessary for the whole world for legitimate purposes—I mean for scientific and medicinal purposes. Now, that is the position. But, what is the attitude of our Government with regard to this excise matter? Up to now, Government have not accepted the principle of total prohibition. I find that so far as opium is concerned, there was a Committee appointed in 1892, which reported in 1895 formulating the opium policy, and we were told then that to prohibit the sale of opium except for medicinal purposes would be a sheer act of inhumanity to many millions. Again, Sir, it has been recently justified on the principle that it would be interference with the liberty of individuals. That was the resolution of the Government published in the year 1926. Recently, we have been told in a recent and responsible publication that the excise problem is not a serious one at all, and, what is more, we have been told that the Government should provide facilities to persons requiring a wholesome refreshment. So, according to the dictum of Government, all these things are wholesome refreshments for our people. Of course, we know that in 1926 the Government of India declared that, so far as the sale of opium to the outside world was concerned, they decided that it should be reduced within ten years, *i.e.*, one-tenth every year; so that in the course of ten years they might fight this demon of opium to a finish. But, at the same time, so far as India is concerned, there was no such provision made, no such principle inculcated, no step taken in that behalf. In other words, according to the opinion of our Government, what is poison for non-Indians is wholesome refreshment for Indians. That is the position. Now, Sir, we were promised some time ago a legislation for penalising opium-smoking except by registered smokers. That was a promise, a pious promise, and no step taken to give effect

to it. Up to now, we have no legislation introduced into this Council for penalising or restricting the consumption of opium. We have been told very recently that, so far as India is concerned, it is such a vast country that it is difficult to enforce total prohibition. We have been told that it would require an immense army of preventing agents in order to enforce the law of total prohibition if it be introduced into India. Now, Sir, such an army was furnished by Mahatma Gandhi in 1921-22.

6-15 p.m.

Sir, an army of volunteers, bent upon destroying this evil of drinking in this country, had been working hard to remove this bad habit from this country. But how was this accepted by Government? Government did nothing in the way of removing this bad habit but these volunteers were sent to jails. Far from receiving any encouragement from Government in this direction, there was a policy of repression with the result that a very large number of people who used to picket liquor shops were sent to jail. Might I on behalf of the Congress make this offer to our Government that we can give 1,000 volunteers to fight this Excise demon.

[At 6-15 p.m. the Council was adjourned for prayers and it reassembled at 6-30 p.m.]

Babu AKHIL CHANDRA DATTA: Sir, I was dealing with the argument that it is so difficult to manage in a vast country like this the policy of total prohibition because it would require an army of preventive volunteers. I was going to say if you are really sincere about this, I may make an offer on behalf of the Congress. We are prepared to give you 1,000 volunteers, but I know you are not going to accept that. After all it is an imaginary difficulty. We all know that habits and temperament of the people of this country are not such as would demand an army of agents for total prohibition. Whenever we speak of this total prohibition we are told that criticisms like this would not do and there must be some constructive scheme. My submission, Sir, is: is it really a scheme which has got to be found out? You are to run the Government and is it fair that you will ask us, outsiders, to formulate a scheme? If you, however, ask us, our answer is very simple. Our answer is economy and retrenchment. If you make your administration so very costly you cannot do without your income from liquor shops. There must be something fundamentally wrong in the system in which you cannot run the Government without carrying on a trade in liquor. The Retrenchment Committee made various recommendations but those recommendations were not given effect to. Until you give effect to those recommendations of the Retrenchment Committee and until you enforce strict economy, you have no right to complain of the deficiency in revenue if you accept the policy of total prohibition.

Sir, another suggestion put forward by some of my friends is that instead of taxing country spirits which means taxing the poor people of this country, it is the duty of the Government to raise the duty on imported liquor and this will bring in additional revenue to Government. If in spite of this additional revenue and savings effected by retrenchment and economy in public expenditure you fail to meet the deficit to be caused by the total prohibition, you can urge for fresh taxation.

Our suggestion is—accept the principle of total prohibition and make a programme of five years, or of ten years, to carry out your policy and examine your position at the end of the period prescribed. We were told by the Hon'ble Sir Basil Blackett in the Legislative Assembly of the 25th January that local Governments had been instructed to formulate their opium policy in consultation with the local Legislative Councils. I do not think anything has been done in that direction; no steps have been taken in that behalf. This proves that the Government has no heart in this matter, it does not care for this total prohibition; the Government simply wants its excise revenue to remain and does not care what happens to the people of the country in consequence of the excise policy. I say that the charge against you is the charge of administering poison to the masses. You derive an income of Rs. 2 crores and you bring ruin on the people. Those who drink and use these drugs bring about their ruin—their ruin all round—ruin financially, physically, morally and spiritually. That is the charge we bring against you unless you care to revise the present excise policy and gradually introduce the principle of total prohibition. It is not a new thing, it is not an unusual and unheard of thing that we have been insisting on you. Total prohibition has been adopted in the civilised countries. Prohibition has been accepted in the United States of America. If the idea is to take revenue by ruining the people in this way, I may bring the charge brought by the greatest man of the world, Mahatma Gandhi, I do not like to use the word, but I say that the charge becomes a justifiable charge.

Mr. PRESIDENT: The remaining motions under the demand being identical, I wish to have one discussion on them.

The following motion was called but not moved:—

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 21,96,000 under the head '6.—Excise' be reduced by Rs. 100 (to raise the question of the Excise policy of the Government generally)."

Srijut NAGENDRA NATH SEN: I beg to move that———

Mr. PRESIDENT: You need not move that motion as it is identical with the motion moved by Babu Akhil Chandra Datta. You can speak in support of that motion.

Srijut NAGENDRA NATH SEN: All right, Sir.

Sir, the excise revenue is a revenue derived from immoral sources. Just as a prostitute's earnings are from shameful sources so is excise revenue derived from shameful and immoral sources. Prostitutes are said to be safety valves in society. In the same strain it is said that Government maintain the Excise Department to control the vicious habits of the people and to decrease vice. That end should be attained not by increasing the facilities for the sale of intoxicants, but by their total abolition. Let the country go dry. If the United States of America can afford to go dry, why should it not be possible for a hot country like India to go dry. The Indians have no innate habits of drinking or to the use of any other intoxicants. He is made to learn the use of them. With a large number of excise shops selling intoxicants he in time becomes addicted thereto. His attentions are forced to them. From a perfect saint he becomes a total wreck. The excise revenue is a thing which does not find a place in the Hindu polity or in the Moslem polity. That excise should be a source of revenue is repugnant to Indian feelings—Hindus, Moslems, Jains and Buddhists alike. In the name of control facilities are enlarged.

The Hon'ble Finance Member has at page 9 of the Budget deplored thus: "Prevalence of scarcity in certain parts of the province for the greater portion of the year with a consequent rise in the price of rice and the depression in the coal-fields have considerably checked consumption of country spirit and pachwai and have resulted in a fall in revenue this year. In the hope that commercial and industrial conditions in the province will improve and agricultural conditions next year will be more favourable, the estimate for the ensuing year has been fixed at Rs. 2,25,00,000."

What a shameless exposition of policy by a Government which is called civilised! Scarcity and depression in industrial conditions caused a check in the consumption and a consequent fall in the excise revenue. This is deplored. With better prospects this year it is hoped that a larger revenue will come in from excise articles.

The Government stand charged with aiding and abetting the corruption of the morals of the people. Under the penal laws of the country this is punishable. But it is the act of State and so there is no fear of any penal action being taken against the Government. But surely there should be something like public opinion, decency and decorum. Government are deaf and callous to all these. The time has come when Government should not be permitted any longer to convert an honest and temperate people to a moral wreck.

6-45 p.m.

Mr. PRESIDENT: I find that your motion is exactly the same as that of Babu Akhil Chandra Datta except that you have stated different reasons for moving it. If you want to move your motion as well—because your grounds are not exactly alike—I will give you an opportunity of doing so at this stage.

Srijut NAGENDRA NATH SEN: Then I beg to move that the demand of Rs. 21,96,000 under the head "6.—Excise" be reduced by Rs. 100 (on the ground that the sale of intoxicants be prohibited in Bengal).

Maulvi SHAMSUR-RAHMAN: I beg to move that the demand of Rs. 21,96,000 under the head "6.—Excise" be reduced by Rs. 100 (on the ground that the number of Excise licences granted to Mussalmans should be increased in proportion to their population).

My reason for raising this discussion is very simple. A large number of excise licences are granted each year. These excise shops are very lucrative concerns. In days gone by, the Mussalmans had an antipathy to deal in excise articles but necessity of self-preservation having done away with those scruples they are now demanding their fair share in these lucrative concerns. I am told that in some places Mussalman candidates for these shops are wanting but I have seen at least in Khulna that there is no dearth of Mussalman candidates seeking these licences but are being refused. I have also seen that these licences are granted only to persons who are relations of influential men. Favouritism has been the watchward in granting these licences. Government have circularised that a certain percentage of services should go to the Mussalman community and these shops are treated almost like Government services. And as such I do not understand why a certain percentage of these licences should not go to my community—men who want to have them in spite of their religious prejudices. Whenever the Mussalmans want to have a fair share of Government patronage their demand is branded as communal not only by the Hindus but also by Europeans. An English daily newspaper managed by Europeans has been pleased to characterise this motion of mine as a "new brand of communalism." In the list given to-day in answer to Starred Question No. 80 about Excise licences granted in Calcutta during 1928-29 we have seen that out of 11 licences granted only one has gone to Mussalmans. Has this been fair? To give a large portion of some lucrative concerns to one set of people in exclusion to another is under some particular code of law fairness and a demand for the excluded community for a proper share of it is communalism! With these words I move my motion.

Mr. S. C. MUKERJI: I beg to move that the demand of Rs. 21,96,000 under the head "6.—Excise" be reduced by Re. 1 (to raise a discussion on the general policy of the Excise Department).

Sir, the excise policy of the Government of Bengal is not the policy supported by the people of Bengal. The whole country, not simply the province of Bengal, but the whole Empire of India is against the policy —the policy of maximum of revenue with the minimum of consumption. On the 14th March the Bengal and Assam Christian Council met at the Y. W. C. A. at 134, Corporation Street, Calcutta, and passed a unanimous resolution that the time has come when the Government of Bengal should introduce the principle of prohibition in certain areas in Bengal.

Sir, the advocates of prohibition are regarded by Government as so many idealists and theorists and men with Utopian ideas who have got their heads in the aerial region and with their feet dangling in the mid air, never touching the *terra firma*, that they are people who never face facts fair and square and that they are swept off their feet by certain sentiments and certain idiosyncracies of their own. They will never, as business men, go into facts and look into things as business men. Sir, the presidentship of the United States of America was fought this time on this issue. There were three issues before the people of the United States and the principle of prohibition was one of them and the battle was fought between Mr. Hoover who has been elected President of the United States and Mr. Al Smith. The whole of the United States mustered strong and they are determined that the 18th amendment in the Constitution is not going to be altered and reamended. Sir, I have never been to America but it was my privilege and good fortune to hear Bishop Leonard who has spent the whole of his life in the United States and who has at least more experience than the Hon'ble Member who is now in charge of the Excise Department and the Bishop says that notwithstanding all that we hear from the people, notwithstanding all that we hear from the subsidised papers in America, the fact remains true and intact that the people of America as a whole, not simply the tradespeople but the people of the United States as a whole, are in favour of prohibition. Sir, the Americans are not fools. They are men of hard thinking and business men of the type of Henry Ford, the richest man in the world to-day, they are business experts who are determined that prohibition should be made not only possible but an accomplished fact in the United States. Sir, the statesmanship of the Bengal Government is on its trial to-day. Excise is a transferred subject and Government cannot ignore public opinion. The day of reckoning is coming when the moral and civic consciousness of the people will rise against Government and compel them in terms unequivocal to alter their excise policy.

Sir, the Hon'ble Member has given us the excise policy. I do not wish to contradict the Hon'ble Member but I should like to give one or two figures. The excise revenue for 1920-21 was Rs. 1,80,00,000 and that revenue to-day is Rs. 2,25,00,000. While it is true that in 1920-21 country liquor shops stood at 1,120 and now they are 931 the foreign liquor shops have come up from 188 to 199. While *ganja* shops have come down from 1,267 to 1,208, opium shops have gone up from 835 to 854. I do not say that Government is dishonest, but I say that Government must fall in with the wishes of the people. There is the question of revenue. Yes, I know that the question of this big revenue is there, and that we cannot sweep away Rs. 2,25,00,000 at a moment. But the time has come when prohibition must be accepted by Government as the ultimate goal. In the Central Provinces Sir Montague Butler, the Governor, has approved of the policy of prohibition and applied it in the district of Damoh where consumption was relatively small and the revenue amounted to Rs. 20,165 only. Sir Montague Butler is a business man and a Governor and he knows his business fully. I ask the Hon'ble Member in charge of Excise to introduce the principle of prohibition in three districts which I shall presently name. They are as follows:—Noakhali Rs. 53,000, Khulna Rs. 1,77,000, and Jessore Rs. 2,00,000. This will not touch your revenue and will not put you to much inconvenience. Do not tell us about smuggling, do not tell us about preventive officers; we have heard of them *ad nauseum*, which we also find in "India, 1927-28," the treatise which Dr. Coats has presented to the British Parliament. Do not tell us about these things, we have heard about them. The will of the people must prevail. I ask the Hon'ble Member in all seriousness to take my suggestion. Where is the objection in introducing the policy of prohibition as the ultimate goal in Bengal? Let it be 20 years—we do not mind. We shall be able to adjust the revenue in some suitable way.

Sir, it is said, "Why should we not give drink to the drinkers?" But, Sir, drinking is a bad and an evil propensity and must be done away with.

7 p.m.

It is an evil propensity: it does good to nobody. Drinking liquors and taking drugs does good to nobody. Do not talk of propensities. Human propensities run in many directions. There is the thieving propensity, propensity for enticing away married girls: there are legislation for preventing these evils. There are many such propensities and drinking is one of them. Now, Sir, I ask—why do you have these liquor shops and drug shops near industrial centres? I ask the Hon'ble Member in all seriousness—is that in accordance with your policy? Here is the Excise Manual and

here the Excise policy is enunciated, *viz.*, that there should be minimum consumption amongst the illiterate poor. Do not take away the manhood and womanhood of the people of this country. It is an evil which undermines the health of the people; it introduces ignorance, dirt and filth, and everything that is filthy. For the sake of humanity, for the sake of all that is sacred, do not encourage such things. Strive for things, which are permanent and which will be for the good of the people of the country, and it will redound to your glory and to the credit of the British Government and the British people.

The following motion was called but not moved:—

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 21,96,000 under the head '6.—Excise' be reduced by Re. 1 (to discuss the general policy)."

Srijut JOGENDRA NATH MOITRA: I beg to move that the demand of Rs. 21,96,000 under the head "6.—Excise" be reduced by Re. 1 (to condemn the excise policy and to point out defects in its working).

Sir, several speakers before me have very strongly condemned the Excise policy of the Government and I have very little to add to what has already been said. The Excise policy of the Government can be very well determined from their Annual Report (India in 1927-28) which says that the Government, Imperial and Provincial, "aim at inculcating temperance while providing facilities for persons requiring *wholesome refreshments*, but at a price likely to discourage the abuse of intoxicating liquor." As regards total prohibition, it says "absolute prohibition in the sense of ensuring that there shall be no consumption of liquor except such as is allowed by law is quite impossible for India in her circumstances, etc., and the better plan appears to be to continue in the present policy."

Another plea is that the Government cannot afford to give up such a large revenue which is essential to run the administration. Of course, we require adequate revenue to run the Government for the best benefit of the people, but certainly not a revenue which is obtained by permanently corrupting the people by making them morally, physically and financially ruined. The verdict of the country is very clear on the point. We want to do away with the intoxicating drugs altogether, we want to prevent further degeneration of the people even at the risk of losing a profitable revenue. The Government did nothing in this direction. Even the most moderate and reasonable suggestion of my friend, Mr. Akhil Chandra Datta, made last year, to call a round table conference of officials and representatives of various parties of this House to discuss the whole question of excise

policy and excise administration has not been complied with. The very light-hearted manner in which such important questions are treated by Government reveals its irresponsible character.

Sir, to-day, happens to be the day of the arrival of the famous champion of the World Temperance movement, I mean, Mr. Johnson (Pussyfoot) in Calcutta. It was mainly due to his endeavours that the United States of America has become almost dry.

The arrival of Mr. Pussyfoot Johnson at this psychological moment, when the excise policy of the Government is being discussed, has a great significance. Let Bengal pronounce, clearly and unequivocally,—once for all—their determination to do away with this evil. Let it not be said of us that we had been an indirect party to the seduction and ultimate degeneration and ruin of our fellow countrymen which the present excise policy of the Government apparently contemplates.

I would now briefly refer to its administrative side. Some very unpleasant facts have leaked out and some of my friends have referred to them already, and I will only mention the harassing treatment accorded to the medical practitioners including Kavirajes. They have to purchase spirits, opium and hemp for medical purposes and have to apply for licence for them. But to get licences is not always an easy affair. Those who get it have to keep accounts according to a prescribed form, some items of which are meaningless. Some restrictions have been imposed without any reference to medical requirements. The Excise Inspectors occasionally become too liberal and occasionally too strict and technical. Many prosecutions are started on trifling grounds and heavy fines are imposed on medical practitioners dealing with these drugs for medical purposes.

Sir, I know of cases of smuggling and of instances where undue advantages are taken of licences. Proper care is therefore needed in selecting the party to whom the licence is to be issued. I would suggest, in this connection, a District Temperance and Licence Committee, consisting of officials and non-officials, should be formed to deal with all matters in this connection. The issue of licence, etc., and the question of prosecution should come before this Committee before final steps are taken. They will also check the unusual excess in the sale of liquor and other drugs with a view to remove the evil altogether within a specified time.

Srijut NAGENDRA NATH SEN: The revenue policy of the Government is very difficult to be understood by the general public. The excise revenue is a revenue derived from immoral sources, and hence the utmost scruple should be exercised in the matter of the realisation of this revenue. If the excise policy of the Government clashes with the habits of the people, which are not unhealthy and

not opposed to any generally accepted canons of morality and not vicious, then certainly that part of the policy should be modified. A time there was when even the sweet and fresh and unfermented juice of the date-palm tree was subject to excise duty and tappers of date-palm trees used to be the recipients of constant attention of the men of the Excise Department. The result has been that there has been a marked falling off of the number of date tree tappers and the date trees tapped. In East and Central Bengal and also in parts of Northern Bengal and West Bengal during the winter and early spring the fresh date juice is a luxury, but not at all costly. The poor people can indulge in it. But owing to apprehensions of Government that the fresh juice might be turned into toddy, a licence fee used to be realised from tappers and their movements and activities unnecessarily watched and controlled. The result is that in the villages even date juice has become a rarity and the outturn of molasses has greatly diminished with the inevitable diminution of the outturn of sugar. Now owing to this excise policy of the Government, the people have lost the industry in sugar and the province is now dependent solely upon foreign cane sugar. The same policy is pursued in the matter of the use of excisable articles in the preparation of indigenous Ayurvedic and Hakimi medicines. Hemp or *bhang* is very largely used in the preparation of a number of efficacious medicines. Everyone knows that the Ayurvedic and the Hakimi physicians are also druggists. They prepare their own medicines, which they can implicitly rely upon. But to sell such medicines and medicines containing opium, a licence is necessary. The various Ashakas and Arishtas according to the Ayurvedic pharmacopœa also fall under a similar ban. For a petty practitioner living in the interior of the district to come to the Sadar and there apply for and procure the licence is a difficult matter. And when the licence is got the real trouble begins. The licensee makes himself subject to the periodical and sudden visits of the officers of the Excise Department and they have to be attended to and appeased. The Government profess not to find enough money for spending on the Medical and Public Health Departments. Yet when the people want to take care of themselves, they are not free to move in the matter. It may be that there would be misuse if the control is taken off. But it is not without a remedy. The ordinary laws of the country are sufficient enough to reach any miscreant. If any practitioner offers for sale any medicine which is not in accordance with any generally accepted and recognised treatise of medicine of the particular creed according to which he practises medicine, then such a dealer may certainly be brought to justice under the ordinary law of the land. If these medicines are really efficacious, and I have no doubt that they are really so, no restriction should be placed against their free use. Any restriction would mean the denial of the essential right of a man to keep himself immune

against the attacks of preventible and curable diseases, and he who puts such restriction offends against his fellow man, his country, his King and his God.

The purpose of the Excise policy of Government is the prevention of vice and vicious habits. But medicine does not encourage vice or vicious habits. On the contrary it prevents them. So, in pursuance of the avowed policy of Government—the policy of Government in regard to the sale of medicines containing excise articles should be modified.

With these words I move the motion that stands in my name, *viz.*—

That the demand of Rs. 21,96,000 under the head "6.—Excise" be reduced by Re. 1 (on the ground that the policy of Government in regard to the sale of medicines containing excise articles should be modified).

Maulvi SHAMSUR-RAHMAN: Sir, in supporting my friend, Mr. Sen, all that I have to say is that in the matter of medicines, the Kavirajes and Hakims are differentially treated. Almost cent. per cent. of Allopathic and Homœopathic medicines contain some sort or other of spirits and wines, but people who deal in these medicines are not required to take any licences, while those dealing in Kaviraji and Hakimi medicines, containing excise articles, are compelled to do so. Many dangerous diseases are treated by Hakims and Kavirajes with medicines containing excise articles. There are villages still in the interior where a Kaviraj or a Hakim is the only medical man available, and it is not very easy for these people, who live in distant villages, to secure the required licences to sell those medicines containing excise articles. So by putting these indigenous drugs under the excise ban, you have deprived a large section of the people of the little medical aid which they could have otherwise had. This indeed is really undesirable and should be remedied at an early date.

(Dr. Kumud Sankar Ray rose to speak.)

Mr. PRESIDENT: Dr. Ray, I am afraid it will be to the interest of the House if I now ask the Hon'ble Member in charge to reply. There is only 14 minutes left for the discussion of this item and if after the speech of the Hon'ble Member in charge there is any time left, I shall call upon the other members who have tabled motions for reduction to speak.

7-15 p.m.

Mr. C. P. HOGG: In the few minutes that remain it would hardly be possible for me to traverse all the points that have been raised in the course of this debate, but as Mr. Mukerji has put it, the members of this House have heard the exposition of the Government excise policy *ad nauseam*. I might in return say what the members of Government think when they hear their policy criticised in a manner that has been pursued for so many years. I may use the words that were used on a more famous occasion in another place: "invention is exhausted, reason is fatigued; experience has given judgment; but obstinacy is not yet conquered." Government have time and again explained their excise policy from these benches and it is unnecessary for me to repeat the details; but I would maintain that the history of recent years establishes the fact that the Government of Bengal have not only carried out their obligations and fulfilled their promises but they have done so successfully. They have achieved in a large measure the object they had in view, a reduction in temptation to probable consumers, and a reduction in consumption. At the same time, they have removed temptation to undue indulgence and prevented any addition to the liquor consuming classes. The Hon'ble Member in charge quoted the figures of decrease in consumption in recent years. I will remind the House of those figures. In country spirit in recent years there has been a reduction of 21·8 per cent., in the case of *ganja*, 43·5 per cent., and in the case of opium 41·8 per cent. On the basis of these figures I maintain that the Government of Bengal have fulfilled their obligation and have effected a very substantial reduction in the consumption of excisable articles.

But, Sir, it has been urged in the speeches which we have heard that the Government of Bengal should definitely declare themselves in favour of a policy of total prohibition. The views of the Government of Bengal on that subject are well known; they take the view that the time is not ripe for such a decision and that time would only come when the consuming classes are so reduced in number as to be negligible, or when the force of public opinion behind the movement is so strong that illicit sources of supply would be impossible. That time has not yet come in Bengal.

With regard to the ordinary liquor which is largely brewed throughout the country from rice, I need hardly remind the House that to stamp out the production for example of rice beer in the *pachwai* consuming districts of this province would require a standing army. One cannot conceive of the severity of the measures of suppression which would be necessary to stop the aborigines from brewing *pachwai*. With regard to distillation it is well known that the apparatus used is of the most simple description; and that it can be prepared by anyone. The distillation of alcohol is one of the most

simple processes and the Government of Bengal realise that they would be unable to stamp out the illicit manufacture of liquor without the adoption of measures the severity of which would rouse resentment throughout the province.

My friend, Mr. Datta, referred particularly to the question of opium and he classed it as a poison which was used to the danger of health and the destruction of the morals of the consumer. Sir, I have before me the report of the Opium Enquiry Committee which was appointed recently by the Government of Bengal. I should like to quote the findings of that Committee very briefly. The majority of the consumers of opium are above the age of 40 years. The second point which they discovered was that addicts generally start taking the drug on account of some physical ailment or pain and finally the Committee quote medical opinion that opium is a good medicine to relieve painful symptoms in many diseases. Of course I agree that there is opinion to the contrary that the use of opium is harmful in all circumstances. But there is a very considerable volume of opinion in the other direction and the Government of Bengal take the view that until there is a proper medical service throughout the country districts of Bengal it would not only be unwise but inhuman to deprive the aged of the use of this medicine; it would be cruel either to deprive them entirely of its use or even to push up the price to a figure which would be prohibitive to the poor consumer, whose only source of medical relief lies in this cheap and ready medicine. To push up the price in order to cut down the consumption would be, I submit, to realise revenue and extort money at the cost of human suffering. I agree that there may not be so much to be said for *ganja* but the same difficulty applies to it, the difficulty of suppression, and the Government of Bengal are not prepared to take steps at present to suppress its consumption; rather they prefer to rely upon the natural operation of those steps which they have already taken and which have already successfully reduced the consumption of excisable articles throughout the province. In the continued enforcement of this principle lies the solution of this great problem.

It has been suggested that licensing matters should be placed in the hands of Licensing Boards with a membership of a popular character. I need only say that the Government of Bengal recently extended the Licensing Board system to four districts in the province outside Calcutta and that system will be extended gradually as results show any measure of success. With these words I would oppose these various motions to reduce this grant.

The Hon'ble Mr. A. MARR: Mr. Hogg has explained the position of the Government of Bengal fully in this matter and I wish to add only a word or two to what he has said. I do not think this

House can possibly expect me to pledge the Hon'ble Minister who may be placed in charge of the Excise Department to one policy or another. I think the House will realise that I must leave these questions open for him.

Babu MANMATHA NATH ROY: I would like to point out that the statement read out by the Secretary in the Excise Department on the subject of the decrease in consumption is not quite accurate.

Mr. PRESIDENT: I do not think you can make a speech at this stage. Do you want to put a question to the Hon'ble Member?

Babu MANMATHA NATH ROY: Yes, I would only point out that the figures mentioned are wrong.

Mr. PRESIDENT: But that would appear to show that you are going to make a speech, but it is not possible for me to allow you to do so. But if you can raise your point in a brief question I will allow you to put it to the Hon'ble Member.

Babu MANMATHA NATH ROY: I find from the Annual Report of the Excise Department for 1927-28 that the total consumption in respect of country spirit and foreign liquor exceeds by 5 per cent. the total consumption for the previous year. Is this statement correct?

The Hon'ble Mr. A. MARR: I shall look into the figures, Sir. I have taken the figures for the last 15 years which show that during these years the consumption of country spirit decreased by 28·1 per cent.

Babu MANMATHA NATH ROY: I did not refer to that. I have in my hand the report for 1927-28 which says that the consumption was more than the previous year.

The Hon'ble Mr. A. MARR: I do not happen to have the figures for that particular year. But for the year 1925-26 the figures were 633,000 gallons and for 1926-27, 591,000 gallons. There may be a small increase from one year to the other but, taken as a whole during the 15 years from beginning to the end, there has been a decrease of 28·1 per cent. as regards country spirit.

Babu MANMATHA NATH ROY: But the Hon'ble Member has not answered my question either in the affirmative or in the negative—whether it is or it is not a fact that there has been an increase in consumption by 5 per cent.

The Hon'ble Mr. A. MARR: If the Annual Report says so, it is bound to be correct and I do not dispute that. I again say that there may be an increase from one year to the next year but within the period of the last 15 years there has been rather a decrease.

Babu BEJOY KRISHNA BOSE: Sir, is it your ruling that the 15 minutes allotted to prayer after 4-30 will be added to the usual time available every day?

Mr. PRESIDENT: No. The maximum time-limit has now been reached and so I shall have to put the motions forthwith.

The following motions were put and lost:—

"That the demand of Rs. 21,96,000 under the head '6.—Excise' be reduced by Rs. 100 (to protest against the immoral traffic)."

"That the demand of Rs. 21,96,000 under the head '6.—Excise' be reduced by Rs. 100 (on the ground that the sale of intoxicants be prohibited in Bengal)."

"That the demand of Rs. 21,96,000 under the head '6.—Excise' be reduced by Rs. 100 (on the ground that the number of Excise licences granted to Mussalmans should be increased in proportion to their population)."

"That the demand of Rs. 21,96,000 under the head '6.—Excise' be reduced by Re. 1 (to raise a discussion on the general policy of the Excise Department)."

"That the demand of Rs. 21,96,000 under the head '6.—Excise' be reduced by Re. 1 (to condemn the excise policy and to point out defects in its working)."

The motion that the demand of Rs. 21,96,000 under the head "6.—Excise" be reduced by Re. 1 (on the ground that the policy of Government in regard to the sale of medicines containing excise articles should be modified) was then put and a division taken with the following result:—

AYES.

Ahmed, Khan Bahadur Maulvi Emaduddin.
Banerjee, Babu Promotha Nath.
Bannerjee, Babu Jitendralal.
Bose, Babu Bejoy Krishna.
Bose, Mr. Subhas Chandra.
Chakravarti, Babu Jogindra Chandra.
Chatterjee, Srijut Bijay Kumar.
Datta, Babu Akhil Chandra.
Dutt, Babu Saral Kumar.
Ghose, Babu Amarendra Nath.
Gupta, Mr. Jogesh Chandra.
Hoque, Kazi Emdadul.
Kiam, Maulvi Tamizuddin.
Maiti, Babu Mahendra Nath.
Mcitra, Srijut Jogendra Nath.
Mukerjee, Srijut Taraknath.
Mukerji, Mr. S. C.
Nasker, Babu Hem Chandra.
Rahman, Maulvi Shamsur-.
Ray, Dr. Kumud Sankar.
Ray, Srijut Radha Gobinda.
Roy, Babu Manmatha Nath.
Roy, Mr. D. N.
Roy Chowdhuri, Raj Bahadur Satyendra Nath.
Sarker, Babu Naliniranjan.
Sen, Srijut Nagendra Nath.
Sen Gupta, Mr. J. M.

NOES.

Acharjya Chaudhuri, Maharaja Shashi Kanta.
Addams-Williams, Mr. C.
Ahamad, Maulvi Kasiruddin.
Blair, Mr. J. R.
Casselis, Mr. A.
Chaudhuri, Khan Bahadur Maulvi Hafizar Rahman.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur,
Cohen, Mr. D. J.
Dash, Mr. A. J.
Drummond, Mr. J. C.
Forrester, Mr. J. Campbell.
Ghose, Mr. M. C.
Ghosh Maulik, Mr. Satyendra Chandra.
Goenka, Rai Sahadur Badridas.
Hogg, Mr. G. P.
Hosain Nawab Muzharrul, Khan Bahadur.
Maguire, Mr. L. T.
Marr, the Hon'ble Mr. A.
Mitter, the Hon'ble Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. N.
Ormond, Mr. E. C.
Philpot, Mr. H. C. V.
Prentice, Mr. W. D. R.
Ray Chaudhuri, Mr. K. C.
Ray, Mr. Bijay Prasad Singh.
Sarker, Rai Sahib Rebati Mohan.
Stapleton, Mr. H. E.
Suhrawardy, Mr. H. S.
Tate, Major General Godfrey.
Thomas, Mr. H. W.
Thompson, Mr. W. H.
Wordsworth, Mr. W. C.

The Ayes being 27 and the Noes 32, the motion was lost.

The time-limit under the head "6.—Excise" having been reached the following motions were not put:—

Maulvi SYED ABDUR RAUF: "That the demand of Rs. 21,96,000 under the head '6.—Excise' be reduced by Re. 1 (to express dissatisfaction with the policy and the manner of granting excise shops to individuals)."

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 21,96,000 under the head '6.—Excise' be reduced by Re. 1 (on the ground of bad excise policy of Government)."

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 21,96,000 under the head '6.—Excise' be reduced by Re. 1 (on the ground that this Council considers it a bad policy to encourage drink evil and that this Government encourages intemperance in the people)."

The motion that a sum of Rs. 21,96,000, as amended by the Council, be granted for expenditure under the head "6.—Excise" was then put and agreed to.

Adjournment.

The Council was then adjourned till 3 p.m., on Tuesday, the 19th March, 1929, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Tuesday, the 19th March, 1929, at 3 p.m.

Present:

The Hon'ble the President (the Hon'ble Raja MANMATHA NATH RAY CHAUDHURI, of Santosh), in the Chair, the four Hon'ble Members of the Executive Council and 102 nominated and elected members.

Starred Question

(to which oral answer was given).

Improvement of rural water-supply.

*91. **Babu MANMATHA NATH ROY:** (*a*) Will the Hon'ble Member in charge of the Department of Local Self-Government be pleased to state whether there is any likelihood of the scheme formulated by the late Hon'ble Minister for loans to District Boards for the purposes of water-supply being brought into operation in the near future? If so, when?

(*b*) What are the reasons for the delay?

MEMBER in charge of DEPARTMENT of LOCOL SELF-GOVERNMENT (the Hon'ble Sir Provash Chunder Mitter): (*a*) Yes. It is hoped that loans for the purpose of improving water-supply will be made to District Boards in the course of 1930-31. No provision for this purpose has been made in the coming year's budget.

(*b*) If most District Boards take advantage of the offer made by Government, the total amount to be borrowed would aggregate a very large sum, greatly exceeding what the Government of Bengal could lend from their balances; and it will be necessary to borrow from the Government of India for the purpose. It is not possible to ask the Government of India for a loan until the total amount likely to be required and the number of years over which the total loan to be taken from that Government would be spread are known. This total cannot be calculated until applications from all District Boards which wish to borrow, supported by definite programmes of the work to be undertaken, have been received and examined. So

far definite programmes have not been received from all District Boards which expressed a wish to take advantage of the Government offer.

Babu AKHIL CHANDRA DATTA: Will the Hon'ble Member be pleased to state if applications were invited from District Boards?

The Hon'ble Sir PROVASH CHUNDER MITTER: In May last a circular letter was sent to all the District Boards inviting applications. They were asked to put in an estimate of the total sum required within a certain date in their applications, and also to furnish a definite programme of work within a certain date.

Babu AKHIL CHANDRA DATTA: Will the Hon'ble Member be pleased to state from how many District Boards definite programmes have been received?

The Hon'ble Sir PROVASH CHUNDER MITTER: About two or three. But others, although they did not put in any definite programme of work, did give an estimate of the total sum required. They also made counter-proposals in the shape of asking for loans for tube-wells, and so on.

Babu AKHIL CHANDRA DATTA: Will the Hon'ble Member be pleased to state why no provision has been made in next year's budget for those District Boards which have submitted definite programmes?

The Hon'ble Sir PROVASH CHUNDER MITTER: The reason is given in the answer, but I might explain further. The basis of the loan was a temporary grant by Government of Rs. 2½ lakhs, which was made permanent, and Rs. 5 lakhs out of about Rs. 9 or 10 lakhs was also set apart for the purpose of this loan. Now about eight or ten District Boards informed Government that they did not want this loan, while others put in various programmes and counter-proposals. Even as regards the two or three District Boards which put in a definite programme, it was necessary first of all to ascertain about details of the tube-wells proposed. The idea of sinking tube-wells seemed to be very popular with a number of District Boards and the late Minister issued instructions for the investigation of the proposal that loans should be granted for sinking tube-wells. That has now been investigated.

Babu NALINIRANJAN SARKER: Is this a speech or a reply?

Mr. PRESIDENT: Order, order.

The Hon'ble Sir PROVASH CHUNDER MITTER: Even the two or three District Boards which applied for loans did not explain what part of the amount which is usually spent for rural water-supply would be set apart for the service of the loan.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Member be pleased to state if there is any way out of only considering and examining schemes and descending to practical action?

Mr. PRESIDENT: That is not a question. I would ask you not to put questions of this sort.

Mr. JOGESH CHANDRA GUPTA: May I put another question?

Mr. PRESIDENT: Yes.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Member be pleased to state the earliest date at which he expects to put into practical effect this scheme?

The Hon'ble Sir PROVASH CHUNDER MITTER: This question has already been replied to in answer (*a*), namely, 1930-31.

Babu KHAGENDRA NATH GANGULY: Will the Hon'ble Member be pleased to state on what basis the Government have calculated that the total amount to be borrowed would be greatly exceeding what the Government of Bengal could lend from their balances?

The Hon'ble Sir PROVASH CHUNDER MITTER: Government calculated on the basis of the requirements of the District Boards that had put in applications for loans for specific schemes. With your permission, Sir, and in order to save the time of the House, I would suggest that it would perhaps be useful to discuss this subject in connection with a cut in the Public Health budget, which also refers to this matter.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Member be pleased to state for the information of the House whether any of the District Boards who have applied for loans may expect to get such loans in the course of the year by reappropriation or otherwise?

The Hon'ble Sir PROVASH CHUNDER MITTER: This question has already been answered. If Mr. Gupta means 1929-30, then my answer is "No." If he means the year following, viz., 1930-31, I think I have already answered it.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Member be pleased to allot some funds out of savings from cuts in the budget or from refusal of the Ministers' salaries, if any?

Mr. PRESIDENT: I do not allow this question; it is a request for action.

Unstarred Questions

(answers to which were laid on the table).

Number of Muhammadan employees other than menials and compositors in the Bengal Government Press.

69. Maulvi ASIMUDDIN AHAMAD: Will the Hon'ble Member in charge of the Department of Finance be pleased to lay on the table a statement showing for the Government Printing Press at Alipore—

(*i*) the number of employees existing at present other than menials and compositors;

(*ii*) the number of Muhammadans amongst them;

(*iii*) the number of new hands appointed during the last three years;

(*iv*) the number of Muhammadans amongst those new hands; and

(*v*) the number of permanent Muhammadan employees amongst the new hands?

MEMBER in charge of DEPARTMENT of FINANCE (the Hon'ble Mr. A. Marr): (*i*) 430.

(*ii*) 162.

(*iii*) 95.

(*iv*) 46.

(*v*) 35.

Travelling allowances to the Assistants of the offices of Private Secretary and Military Secretary.

61. Kazi EMDADUL HOQUE: Will the Hon'ble Member in charge of the Political Department be pleased to state whether it is a fact that the Assistants of the offices of (1) Private Secretary, and (2) Military Secretary to the Governor have to do outdoor tour for which they draw second class travelling allowances irrespective of the rate of their pay?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. A. N. Moberly): Yes.

Expenditure in connection with original works of the Irrigation Department.

62. Babu NALINIRANJAN SARKER: Will the Hon'ble Member in charge of the Department of Irrigation be pleased to lay on the table a statement showing the expenditure incurred by the Department during the years 1925-26, 1926-27 and 1927-28, respectively, in connection with original works, excluding the Damodar Canal Project, and classified under the following heads:—

(*i*) productive and non-productive works;

(*ii*) expenditure made out of loans and provincial revenues;

(*iii*) estimated cost in respect of (*i*) above and the surpluses or deficits, if any, involving transfers of grants from one item to another, mentioning the authority under whose orders such transfers were made; and

(*iv*) actual establishment charges (supervision, permanent, temporary and all overhead charges) in connection with (*i*) above, shown separately?

MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur, of Dhanbari): (*i*) to (*iv*) A statement is laid on the table.

Statement referred to in the reply to clauses (i) to (iv) of unstarred question No. 62.

1925-26.

Works charged to Revenue "16."

Name of work.	Estimated expenditure of the year (budgeted figure)	Actual expenditure.	Surplus if any (how disposed of).	Deficit if any (how met).
	Rs.	Rs.	Rs.	Rs.
Unproductive Madaripur Bhil Route.				
Locks, sluices, sidings and Lower Kumar dredging.	1,55,000	1,07,023	47,977 (Rs 34,000 was surrendered to Finance Department, Rs. 1,000 was reappropriated to Bidyadhari dredging with the consent of the Finance Department and the balance of the surplus lapsed.)	....

Works not charged to Revenue (55) (met out of loans).

Productive.				
Grand Trunk Canal ..	3,000	10,203	...	7,203 The deficit met by re-appropriation from the provision for the dredgers "Cowley" and "Burdwan," with the consent of the Finance Department.
Unproductive.				
Dredgers "Cowley" and "Burdwan."	12,000	Nil	12,000 (Rs. 8,302 out of the surplus reappropriated to Grand Trunk Canal with the consent of the Finance Department and the balance lapsed.)	....

1926-27.

Works charged to Revenue "16."

Unproductive.				
Locks and sluices on the Lower Kumar river.	2,40,000	33,920	2,06,080 Reappropriated with the consent of Finance Department to meet the increased award in connection with land for dredging Bidyadhari, Rs. 5,808. Reappropriated with the consent of Finance Department to meet the increased award in connection with land for dredging Grand Trunk Canal Rs. 13,380. Surrendered to Finance Department, Rs. 1,80,000. Total, Rs. 1,99,188. The balance of the surplus lapsed.	....

Name of work.	Estimated expenditure of the year (budgeted figure).	Actual expenditure.	Surplus if any (how disposed of).	Deficit if any (how met).
	Rs.	Rs.	Rs.	Rs.
Works not charged to Revenue (met out of loans).				
Productive.				
Grand Trunk Canal ..	3,000	18,329	....	15,329 The deficit met by re-appropriation from works, Madaripur Bhil Route, with the consent of the Finance Department and also met on the authority of the Irrigation Department from provision for maintenance of "Ronaldshay."
Unproductive.				
Additions and alterations to dredgers "Cowley" and "Burdwan."	9,000	125	8,875 (Rs. 8,850 surrendered to Finance Department. The balance of Rs. 25 only lapsed.)	....
1927-28.				
Works charged to Revenue "16."				
Unproductive.				
Locks and sluices on the Lower Kumar river.	1,88,500	1,51,733	36,767 (Rs. 36,000 out of this was reappropriated to dredging Lower Kumar river with the consent of the Finance Department The balance lapsed.)	....
Works not charged to Revenue (55) (met out of loans).				
Productive.				
Bakreswar Irrigation Project.	50,000	10,385	39,615 The entire sum was surrendered to the Finance Department.	....
Grand Trunk Canal ..	3,500	3,018	The unspent balance lapsed.	....
Unproductive.				
Additions and alterations to the dredger "Cowley."	11,500	Nil	11,500 (Reappropriated to the "Ronaldshay" dredger, with the consent of the Finance Department.)	....

Establishment charges.

	1925-26.	1926-27.	1927-28.
Works charged to Revenue (16).			
Unproductive.	Rs.	Rs.	Rs.
Madaripur Bhil Route—Locks and sluices, etc.	24,186	10,017	36,281
Works not charged to Revenue (55).			
Productive.			
A—(Irrigation) Bakreswar Canal	....	....	3,776
B—(Navigation) Grand Trunk Canal	10,313	5,174	660
Unproductive.			
Dredgers "Cowley" and "Burdwan"	....	37	....

Dredgers "Burdwan," "Ronaldshay" and "Cowley."

63. Babu NALINIRANJAN SARKER: Will the Hon'ble Member in charge of the Department of Irrigation be pleased to state—

(*i*) the details of work done by the dredgers "Burdwan," "Ronaldshay" and "Cowley" during the years 1925-26, 1926-27 and 1927-28;

(*ii*) the income derived from such work together with the basis of calculation of such income; and

(*iii*) in the event of a deficit how the same has been met?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: (*i*) A statement is laid on the table.

(*ii*) No separate accounts are kept of the income derived from the work of the dredgers: any income which accrues is credited to the works on which the dredgers are employed and not to the dredgers themselves.

(*iii*) Does not arise.

Statement referred to in the reply to clause (i) of unstarred question No. 63, showing the places where each dredger worked and the periods they worked at each place.

Dredger "Burdwan."

From—	To—	How employed.
16-1-26	21-9-26.	Dredging the Bhangore Canal.
7-10-26	25-10-26.	Clearing silt of the Kulti lock basin.

Dredger "Ronaldshay."

From—	To—	How employed.
1-1-25	31-12-27.	Laid up at Haridaspur.

Dredger "Cowley."

1-4-25	30-6-25.	Dredging the Hoorhoora Khal.
1-7-25	2-9-25.	Dredging the Buxi Khal.
21-9-25	29-10-25.	Dredging the Doagra.
30-10-25	18-11-25.	Dredging the spit at Charmaguria.
29-10-27	17-11-27.	Dredging the Charmaguria Entrance, Lower Kumar River.
17-11-27	24-11-27.	Dredging Pearpore Reach, Lower Kumar River.
25-11-27	30-12-27.	Dredging Mustaffapur Shoal, Lower Kumar River.
1-1-28	17-1-28.	Dredging Lower Kumar River, Charmaguria.
18-1-28	18-2-28.	Dredging Chandpur Nalla.
1-3-28	17-3-28.	Dredging Lower Kumar River (Fatepur Section).
18-3-28	31-3-28.	On voyage to Kolaghat.

Babu NALINIRANJAN SARKER: With reference to answer (*i*), will the Hon'ble Member in charge of the Department of Irrigation be pleased to state where the dredger *Ronaldshay* at present is?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: It is laid up at Gopalganj.

Babu NALINIRANJAN SARKER: What is it doing there?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: I said it is laid up there.

Babu NALINIRANJAN SARKER: Still laid up?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: Yes.

Srijut NAGENDRA NATH SEN: Will the Hon'ble Member be pleased to state the total cost of maintaining the three dredgers *Burdwan*, *Cowley*, and *Ronaldshay*, during the year 1928?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: I ask for fresh notice.

Babu NALINIRANJAN SARKER: Is the *Ronaldshay* suffering from paralysis?

Mr. PRESIDENT: That is no question.

Srijut NAGENDRA NATH SEN: On a point of information, Sir,———

Mr. PRESIDENT: If you have any supplementary questions to put, you may do so.

Babu NALINIRANJAN SARKER: With reference to answer (*ii*), if no separate accounts are kept of the income derived from the work of the dredgers, how is it proposed to discharge the loan ultimately?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: From the provincial balances.

Mr. JOGESH CHANDRA GUPTA: Is it proposed to repay the loan incurred on account of the dredgers by economising expenditure on public health, medical relief, and education?

(No answer.)

Babu NALINIRANJAN SARKER: The Hon'ble Member has said just now that the loan would be repaid out of the provincial balances; will he be pleased to state what the amount of the provincial balance is at present?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: I would refer the member to the Budget.

Babu NALINIRANJAN SARKER: Will the Hon'ble Member be pleased to state the minimum amount that must be kept for the purpose?

(No answer.)

Mr. JOGESH CHANDRA GUPTA: Sir, the Hon'ble Member has not given any reply to my question. Could I have an answer from him?

Mr. PRESIDENT: You will not certainly blame me if no answer is forthcoming.

DEMANDS FOR GRANTS.

7.—Stamps.

3-15 p.m.

The Hon'ble Mr. A. MARR: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 8,47,000 be granted for expenditure under the head "7.—Stamps."

Details of this demand will be found on page 56 and the following pages of the Budget Statement, and the explanation on page 34 of the Red Book. I have only two items to which I should like to draw the attention of the House. The first is that the cost of plain paper used in connection with court-fee stamps will be debited in next year's budget to the head "46.—Stationery and Printing," instead of the head "7.—Stamps." That accounts for the decrease that will be found in the figures on page 26. The other item which I wish to mention is that the Central Depôt in Calcutta has been abolished, and now we get all our stamps from the Security Press of the Government of India in Nasik. Therefore, we have now to show here the cost of carrying all these stamps from Nasik to the different headquarters in Bengal. Apart from these two items, the figures are as usual and this expenditure is required for the ordinary activities of the department.

The following motions were called but not moved:—

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 45,400 under the head '7A.—Stamps—Superintendence' be reduced by Rs. 100. (Increase in the demand)."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 3,13,000 under the head '7A.—Non-judicial—Charges for the sale of stamps (discount)' be refused."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 1,39,200 under the head '7B.—Judicial—Value of stamps supplied from Central Stamp Stores' be reduced by Rs. 5 (to discuss policy of Government, in regard to value of stamps supplied from Central Stamp Stores)."

Babu KHAGENDRA NATH GANGULY: "That the demand of Rs. 8,47,000 under the head '7.—Stamps' be reduced by Rs. 52,000."

Srijut NAGENDRA NATH SEN: "That the demand of Rs. 8,47,000 under the head '7.—Stamps' be reduced by Rs. 100 (on the ground that the stamp duties should be reduced)."

Maulvi SHAMSUR-RAHMAN: "That the demand of Rs. 8,47,000 under the head '7.—Stamps' be reduced by Rs. 100 (on the ground that the stamp duty has been increased too much)."

Maulvi NURUL HUQ CHAUDHURI: Sir, I beg to move that the demand of Rs. 8,47,000 under the head "7.—Stamps" be reduced by Re. 1, for the purpose of drawing the attention of the Council to an anomaly that exists in the financial system of this province.

Sir, this province is passing through an extraordinary period of financial stringency, and one of the expedients by which Government decided some years ago to make both ends meet was to raise the taxation under the head "Stamps" by about 50 per cent., but at the same time though the tax payable by litigants in the mufassal has been increased by 50 per cent., Government has allowed the old exemption to litigants on the Original Side of the High Court, to continue. My criticism is directed towards the Judicial stamps which account for a receipt of about Rs. 2 crores and 45 lakhs of revenue, and this enormous sum is derived from the taxation of mufassal litigants. There is absolutely no reason why in justice or equity, one class of litigants, namely, litigants on the Original Side of the High Court, should be given preferential treatment———

The Hon'ble Mr. A. MARR: May I ask one question, Sir? Does the speaker refer to the Criminal Side of the Original Side of the High Court, or the Civil Side?

Maulvi NURUL HUQ CHAUDHURI: I mean the Civil Side. The amount of taxation that is levied from litigants on the Criminal Side does not amount to much in the High Court as well as in the mufassal. The point is this: If Government wanted revenue at all, it should not exempt one class of people, and that the richest class, from the payment of taxation. If you exempt one class of litigants, you must extend your exemption to the other class of litigants as well. But since Government is finding difficulty in regard to finance, it is its bounden duty to recommend to the Government of India that in matters of taxation under this head, litigants of all classes should be placed on one and the same footing. It may be, Sir, that I shall be told that under the Devolution Rules this question is subject to the legislative authority of the Assembly, but we all know that the Hon'ble the Finance Member had no hesitation to raise a protest every year against the Meston Award, which can only be unsettled by the British Parliament. I should have expected that the Hon'ble the Finance Member would grow indignant at this apparent anomaly in the financial system

of this province, and would press the Government of India either to undertake legislation with a view to place litigants of all classes on the same footing in the matter of taxation or alter the Devolution Rule so as to enable us to make the necessary changes.

The Hon'ble Mr. A. MARR: Mr. President, Sir, I quite agree with the mover of this motion that in Bengal we are in an anomalous position as regards the High Court, which in other provinces is under the provincial Government. In every other province, the High Court is under the local Government and is paid for by the local Government. In Bengal, the High Court is under the orders of the Government of India, though it is paid for by the local Government. I can assure the members of this House that this anomaly has been brought to the notice of the Statutory Commission, and I am quite sure that on the report of the Commission being published, the anomaly will be remedied one way or the other. The High Court will come either directly under the Government of India, and be paid for by that Government, or, like other High Courts, will come completely under the local Government and be paid for by them. As regards this particular item, namely, the scale of fees levied on the Original Side of the High Court, as I have said, the local Government have no power whatsoever to fix these fees. The High Court do this with the sanction of the Government of India. What does astonish me is that the mover made the statement that when the court-fees were enhanced in the mufassal courts, there was no corresponding enhancement in the High Court. It is for this reason, Sir, that I asked that question of the mover of this motion. There has been no enhancement on the Criminal Side of the Original Side of the High Court, but on the Civil Side there has been a corresponding 50 per cent. enhancement, as in mufassal courts. This was done by the High Court's letter No. 1860, of the 29th July, 1922, addressed to the Government of India. That appears to me completely to answer the mover's arguments. I shall just read the last sentence of that letter which runs as follows:—

"I am to add that the Court proposes to give effect to the amended table of fees as from the 13th November next on which day the Court reopens after the long vacation."

With these words, I oppose the motion.

Maulvi NURUL HUQ CHAUDHURI: May I ask the Hon'ble Member, through you, Sir, what was the amount of increase as regards the court-fees payable by litigants on the Original Side?

The Hon'ble Mr. A. MARR: The amount of increase was 50 per cent. I have the schedules before me, and if the member likes I shall show them to him after the meeting.

The motion of Maulvi Nurul Huq Chaudhuri was then put and lost.

Srijut TARAKNATH MUKERJEA: I beg to move that the demand of Rs. 8,47,000 under the head "7.—Stamps" be reduced by Re. 1, for not allotting the excess revenue to transferred departments.

Sir, the object of my motion is to draw attention to the fact that when the Stamp Act was amended some years back—I think it was eight years ago—and the stamp revenue was increased, Government and the Hon'ble Member-in-charge gave a definite assurance to the members of this House that the increased stamp revenue would be entirely allotted to transferred departments. Sir, I do not know whether this assurance was merely a dodge on the part of Government to secure the support of the members in getting the Stamp Act Amendment Bill through by giving hopes to the members. I want to enquire of the Hon'ble Member-in-charge whether the Government has redeemed its promise by allotting the increased amount to the transferred departments. So far as we are aware, Sir, it was merely an empty promise, as Government has not made over the increased stamp revenue to the transferred departments. I want to know from the Hon'ble the Finance Member what has actually been done.

The Hon'ble Mr. A. MARR: Mr. President, Sir, this is a matter which has come up repeatedly since those taxation Bills went through. I admit at once that when these taxation Bills were before this House Sir John Kerr, the then Finance Member, hoped to be able to advise Government to allot a certain amount, not the whole, as the mover has said, of the proceeds from these taxation Bills to the transferred departments. My recollection is that a crore of rupees of increased taxation was wanted to meet expenditure and that we anticipated that the increased taxation would give us about Rs. 1 crore and 40 lakhs. Sir John Kerr hoped to be able to advise Government to allot the extra Rs. 40 lakhs to transferred departments—I am still speaking from memory—after that it was found that our anticipations could not be realised. There was a slump in trade, revenue under different heads also went down, and we had to go in for severe retrenchment. In view of all these circumstances, Government found that they were not able to give to transferred departments what they had hoped to give. The position is still the same, and all we can do is to wait for a revised financial settlement. Until that time comes, we must continue on the same basis as we are at present.

With these words, I oppose the motion.

3-30 p.m.

The motion of Srijut Taraknath Mukerjea was then put and a division taken with the following result:—

AYES.

Acharjya Chaudhuri, Maharaja Shashi Kanta.
Afzal, Maulvi Syed Muhammad.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Atiquilah, Mr. Syed Md.
Bagchi, Babu Romes Chandra.
Banerjee, Babu Promotha Nath.
Bose, Babu Bejoy Krishna.
Chakraburtty, Babu Jatindra Nath.
Chakravarti, Babu Jogindra Chandra.
Chatterjee, Srijut Bijay Kumar.
Chaudhuri, Maulvi Nurul Huq.
Datta, Babu Akhil Chandra.
Dutt, Babu Saral Kumar.
Ganguly, Babu Khagendra Nath.
Ghose, Babu Amarendra Nath.
Ghosh Maulik, Mr. Satyendra Chandra.
Ghuznavi, Alhadj Sir Abdelkerim.
Gupta, Mr. Jogesh Chandra.
Haque, Khan Bahadur Maulvi Azizul.
Hoque, Kazi Emdadul.
Karim, Maulvi Abdul.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Khan, Mr. Razaur Rahman
Maiti, Babu Mahendra Nath.
Maitra, Srijut Jogendra Nath.
Mukerjea, Srijut Taraknath.
Nandy, Maharaj Kumar Srie Chandra.
Nasker, Babu Nem Chandra.
Pal Choudhuri, Mr. Ranjit
Rahman, Maulvi Azizur.
Rahman, Maulvi Shamsur.
Rauf, Maulvi Syed Abdur.
Ray, Babu Nagendra Narayan.
Ray, Dr. Kumud Sankar.
Ray, Srijut Radha Gobinda.
Ray, Babu Manmatha Nath.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarker, Babu Naliniranjan.
Sen, Srijut Nagendra Nath.
Sen Gupta, Mr. J. M.
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur.

NOES.

Addams-Williams, Mr. C.
Blair, Mr. J. R.
Casselis, Mr. A.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Clark, Mr. I. A.
Cohen, Mr. B. J.
Dash, Mr. A. J.
Drummond, Mr. J. G.
Ghose, Mr. M. C.
Guha, Mr. P. N.
Hogg, Mr. G. P.
Huq Khan Bahadur Maulvi Ekramul.
Hussain, Maulvi Latafat.
Jenkins, Dr. W. A.
Lamb, Mr. T.
Marr, the Hon'ble Mr. A.
McCluskie, Mr. E. T.
Mitter, the Hon'ble Sir Pravash Chunder.
Moberly, the Hon'ble Mr. A. N.
Philip, Mr. J. Y.
Philpot, Mr. H. C. V.
Prentice, Mr. W. D. R.
Rahman, Mr. A. F.
Ray Chaudhuri, Mr. K. C.
Rose, Mr. G. F.
Roy, Mr. Bijoy Prasad Singh.
Sarker, Rai Sahib Rebati Mohan.
Solaiman, Maulvi Muhammad.
Stapleton, Mr. H. E.
Tate, Major General Godfrey.
Thomas, Mr. N. W.
Travers, Mr. W. L.
Wordsworth, Mr. W. C.

The Ayes being 45 and the Noes 33, the motion was carried.

Mr. PRESIDENT: The maximum time limit for this demand has been reached and I would now put the original demand to vote.

The time-limit under the head "7.—Stamps" having reached the following motion was not put:—

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 8,47,000 under the head '7.—Stamps (Reserved)' be reduced by Re. 1 (to discuss the policy of Government in increasing the value of Stamps)."

The motion that a sum of Rs. 8,47,000, as amended by Council, be granted for expenditure under the head "7.—Stamps" was then put and agreed to.

8.—Forests and 8A.—Forests—Capital Outlay charged to Revenue.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: On the recommendation of His Excellency the Governor, I beg to move that the sum of Rs. 9,86,000 be granted for expenditure under the heads "8.—Forests" and "8A.—Forests—Capital Outlay charged to Revenue."

The demand under head "8" is considerably less than the sums voted by the Council for 1927-28 and 1928-29. There is some increase this year due to normal and unavoidable expenditure under the head "Establishment"—for instance, increases due to increments. There is no provision for increase in permanent staff. The estimate for conservancy and works shows a decrease. It includes provision for Rs. 13,000 on account of khedda operations which will be profitable—otherwise it provides only for normal requirements.

The total capital expenditure both voted and non-voted is estimated at Rs. 1½ lakhs as against Rs. 1¾ lakhs in the estimate of the current year. It provides for completion of works and progress and about Rs. 17,000 for new works which do not involve an increase in recurring expenditure.

As land revenue, which is one of the principal sources of revenue in Bengal, is fixed in perpetuity, in the greater part of the province, it is necessary to develop as far as possible the revenue-yielding departments like the Forest Department, if the financial situation is to be improved. Past records will show that the revenue from forests is steadily increasing. The difference between revenue and expenditure which in 1883-84 was only Rs. 3·6 lakhs rose in 1926-27 to Rs. 14·10 lakhs, that in 1927-28 to Rs. 16·47 lakhs. Considering that the total expenditure includes both capital and revenue expenditure, the financial results are very satisfactory. Increase in expenditure has always resulted in substantial increase in revenue; and with this fact in view the officers of the department from time to time suggest schemes involving fresh expenditure. Increased revenue in future depends on more intensive working which means a gradual but continual increase in staff.

The last ten or twelve years has seen a complete change in forestry methods almost throughout the province (except the Sundarbans) by the introduction of the "taungya system," that is to say, replanting by means of field crops. This means the gradual replacement of our natural forests by pure plantations of valuable species. Owing to mixture of

species of varying qualities and uses, the forests of Bengal in their natural state, as they came under the control of the Forest Department originally, were very uneconomical and difficult to work. Great improvements have resulted from creeper-cutting, fire-protection, and the like, but even now the forests which contain a large proportion of the most valuable species like *sal* are not worth more than Rs. 1,000 an acre. The standing trees in the mixed forests of Jalpaiguri are not worth more than Rs. 55 an acre and in the hill forests of Darjeeling and Kurseong they are not worth more than Rs. 320 an acre. The idea of the Forest Department is to clear-fell every year 1/80th or 1/40th of each forest according as the trees selected as suitable are slow-growing or fast-growing, and to replace them by pure even-aged crops. It is estimated that the plantations which have been made during the last ten years or so in the northern divisions and in Chittagong will be worth Rs. 7,000 an acre after 80 years in the case of *sal* and *teak* and Rs. 2,360 after 40 years in the case of the faster growing species. The young trees are sown or planted by the settlers in forest villages, who cultivate their own crops for one or two years in the cleared areas and in return for this concession, free of rent, look after the young trees. The cost works out at Rs. 25 an acre roughly, and this amount with compound interest is recovered from the sale of thinnings during the first 15 or 20 years in the life of the plantation. If funds are forthcoming this system which produces revenue for Government as well as a livelihood for a large number of families by cultivation and other forest work will be extended—on the other hand if funds are not available for planting felled over areas no fellings can be made and both Government and the cultivators suffer.

The Conservator estimates that an area of 5 square miles which has been planted with *sal* will be worth at maturity no less than 224 lakhs of rupees. It is true the cost up to date amounts to about Rs. 1½ lakhs, but this outlay will be recovered with compound interest long before the crop matures. If the growth of bamboo can be developed on similar lines in the less accessible forests, the increase in value will be even more striking. From the above it will be seen that although forests are already making a useful contribution to the revenues of Bengal work now being done will give our forests greatly enhanced value in the future. Immediate receipts can be increased by judicious expenditure.

A scheme for the reorganisation of the administration of the Sundarbans Division has been approved by Government, but unfortunately owing to financial stringency it has not been possible to allocate funds this year.

The situation has reached a crisis. The present system of uncontrolled fellings should not be allowed to continue. Two important species *baen* and *gegwa*, valuable for match-making and fuel, have

been heavily overcut, and restrictions should be introduced in order to maintain supplies for future years. This Division supplies one-third of the forest revenue of the province. Receipts have fallen by Rs. 1 lakh this year and necessary restrictions must mean a further fall of Rs. 2 lakhs.

3-45 p.m.

By the introduction of the range scheme receipts can be maintained at the present level. The cost is approximately Rs. ¾ lakh capital cost for new boats and Rs. ½ lakh recurring charges. It will be necessary to carry out the scheme as soon as financial conditions render it possible.

The proposal for the formation of a Silvicultural Division is also under consideration. Considerable progress has been made in silvicultural research, and results of experiments carried out during the past three years have been instrumental in saving money in the formation of plantations and increasing the value of the existing forests. The problems awaiting solution are too numerous to detail; each Division presents many subjects for silvicultural research. In a province which relies on restocking its forests by artificial means, a special branch to deal with such matters is essential and the formation of a silvicultural division in Bengal is indicated.

An increase in the staff of ministerial officers is also urgently required. The forest revenue of the Presidency has steadily increased from Rs. 19,55,000 in 1918-19 to Rs. 33,49,480 in 1927-28———

Maulvi NURUL HUQ CHAUDHURI: On a point of information, Sir. Is the Hon'ble Member to take up the best portion of the time which is allotted for the discussion of the demand under the head "9.—Registration."

Mr. PRESIDENT: That is absolutely frivolous—I do not like such interference on your part.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: The expenditure has increased from Rs. 11,22,000 to Rs. 17,02,072.

The khedda operations which are being conducted by the Forest Department are proving remunerative. In 1927-28 the operations in the Buxa Divisions resulted in a net profit of Rs. 5,048 and in the Chittagong Hill Tracts in Rs. 14,401.

Maulvi TAMIZUDDIN KHAN: I beg that the demand of Rs. 4,24,000 under the head "8B.—Forests—Establishments" be reduced by Rs. 100. (Paucity of Moslems in Forest establishment).

As I raised the question last year, I do not wish to make a speech this year. I would only ask two questions of the Hon'ble Member.

First of all why there are so few Indians in the Forest Services and secondly why the number of Muhammadans is so small? These are the two questions which I ask the Hon'ble Member.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: Sir, as regards the number of Muhammadans employed in the Forest Divisions in Bengal, they are as follows: In the Imperial Forest Service, there are 15 Europeans, 5 Hindus and 2 Muhammadans. Of the last 8 appointments, 7 are Indians including 2 Muhammadans. There are 12 officers in the Provincial Service, and all of them are Indians. At present there are no Muhammadans. It is proposed that in future recruitment will be strictly by promotion from Rangers and Deputy Rangers.

Posts of Rangers and Deputy Rangers are generally filled by promotion from the grade of Foresters. No communal preference can be given in case of promotion. Again the Forest is a technical department. An enquiry was made in 1926 and the Conservator of Forests reported that Divisional Forest Officers in making appointments of Foresters gave preference to suitably qualified Muhammadan candidates, but that the few who applied for these posts were generally ill-qualified and that it was impossible to lower the efficiency of the service by appointing men who were never likely to be of use.

As regards forest guards, in Northern Bengal these posts are generally filled by Paharias———

Maulvi TAMIZUDDIN KHAN: After hearing the Nawab Bahadur I beg leave to withdraw my motion.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: But, Sir, I have not finished my speech yet.

Mr. PRESIDENT: I think it is not necessary for the Hon'ble Nawab Bahadur to proceed any further as leave has already been asked by the mover to withdraw his motion.

The motion of Maulvi Tamizuddin Khan was then, by leave of the Council, withdrawn.

Srijut NAGENDRA NATH SEN: Sir, as Babu Taraknath Mukerjea is absent and I have his consent, I ask your permission to move the motion that stands in his name.

Mr. PRESIDENT: It is not always possible for me to allow members to move motions for members who are absent. There is no reason why Babu Taraknath Mukerjea should not be in his seat if he really wanted to move his motion. I have seen him here a few minutes ago.

The following motion was not moved:—

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 4,24,000 under the head '8B.—Forests—Establishments' be reduced by Re. 1 (to discuss the policy)."

The following motion was called but not moved:—

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 8,71,000 under the head '8.—Forests (Reserved)' be refused."

Srijut RADHA GOBINDA RAY: I beg to move that the demand of Rs. 8,71,000 under the head "8.—Forests (Reserved)" be reduced by Rs. 2,50,000.

Sir, my reason for moving this motion is very simple. Government do not even leave the forest trees in order to increase their source of income. But Government do not care to spend anything on the prime necessities of life, namely water-supply to the rural areas. I went last year through my native village and saw there the extreme distress of water scarcity. The Government which is not in a position to supply drinking water to a rural population in the hot summer has the audacity to spend Rs. 8,71,000 on the Forest Establishment and pays more than Rs. 2,000 to the two heads of the department and Rs. 1,000 to each of thirty-three officers most of whom are possibly Europeans, simply to provide white-skinned officers in the various departments, the Forest Department is being maintained by the Government. If the Government is sincerely desirous of helping the poor people and administering this country according to the standards of justice and morality, then I think the Hon'ble Member should accept our suggestion of retrenchment—and I say that a sum of Rs. 2,50,000 can be retrenched.

With these words, Sir, I beg to move the motion that stands in my name.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: Sir the total demand of Rs. 8,71,000 is made up of—

	Rs.
(1) Conservancy, maintenance and regeneration ...	4,35,000
(2) Establishment ...	4,24,000
(3) Stores ...	12,000
Total ...	8,71,000

against Rs. 9,38,900 and Rs. 9,29,000 voted by the Council for the above purposes for the years 1928-29 and 1927-28. The next year's demand shows a decrease of more than 7 per cent. in the current year's grant. It also shows that every possible attempt has been made to keep the expenditure to the minimum. As already stated, any further reduction of expenditure will not only adversely affect the revenue of the Forest Department but will also prejudicially affect the already depleted exchequer of the province.

The motion of Srijut Radha Gobinda Ray was then put and lost.

Babu AMARENDRA NATH GHOSE: I beg to move that the demand of Rs. 8,71,000 under the head "8.—Forests (Reserved)" be reduced by Rs. 15,000.

He spoke in Bengali, the English translation of which is as follows:—

"Mr. President, Sir, in bringing forward this motion, it is not my object to cause a deadlock in or otherwise impede the administration of the department or to criticise that administration as a whole. But I take this opportunity to bring to the notice of this Council how the Government, by taking in its own hand the management of certain *pahar* (forest) have driven thousands of poor people, both Hindus and Muhammadans, to rack and ruin. It is my desire to seek redress on behalf of those distressed people. I need not go into the matter whether the Government was actuated by a mistaken notion of its duty or by the inducement of any interested party.

Sir, the track of land of which I am speaking does not come under the category of *pahar* or forest. It is a track of jungle occupying portions of the Dacca and Mymensingh districts. It is situated on a slightly higher level than the adjacent territory and is intersected by a number of hillocks (*tillas*) which are known as *chalas* which reach a height of 50 to 100 feet, the intervening portions between the *tillas* are known as *baids*. These *baids* are excellent paddy-growing lands and the best jute in the country known as the hilly jute as well as mustard and other seasonal crops are produced on these *tillas*. Portions of this tract are under jungle and are left for growing *sal* timbers. These trees are locally known as *gazari*. *Gazaris* are also to be found in some of the *baids*. The timber forests are in the *khas* possession of the landlords and the arable lands are in possession of the tenants. There are thousands of such tenants who have made this forest their home for generations together. They are permanently settled there enjoying tenancy right from the lands. For the sake of convenience I shall call this tract forest. That portion of it, which is within the jurisdiction of Tangail subdivision of the Mymensingh district, has three distinct divisions according to pargannas. Joyensahi

in the north of which the Maharaja of Natore, member of this Council, is the landlord, Kagmari in the middle of which you, Mr. President, and your brother and other co-sharers are the owners, the Atiagarh in the south is the property of Sir A. K. Ghuznavi, the Nawab Bahadur of Dacca, both members of this Council, and the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur, senior Member of the Council and others. The two divisions in the north and the middle are managed by the Natore and Santosh Raj state and other co-sharers and the tenants there are happy and contended. It is in the Atia portion of the forest in the south that the condition of the tenants is most miserable. The estate of the Nawab of Dacca is now under the Court of Wards and until lately the junior branch of the Karatia estate was also under the same management. The Court of Wards manages these two estates and some small shareholders incapable of managing their portions of the forest have transferred to the direct control of the Government. But Sir A. K. Ghuznavi and several other interested landlords have not been consenting parties to such transfer.

Now, Sir, the Government took up this transferred portion as protected forest and then declared it as reserved forest. It is the gradual enforcement of the Forest Act which has made the condition of the tenants most critical. Many thousands of them live and have their being in the forest and they have nothing else to fall back upon. The Government, it is true, cannot include in the reserved forest the lands which tenants occupy of their own right but has declared as reserved those portions only which were in the direct possession of the landlords. The result has been that reserved and tenants' portions of lands have been interspersed in a hopeless confusion. Tenants' lands adjoins in all cases the boundaries of reserved plots and *vice versa*. In the altered circumstances and in view of the operations of the Forest Act the tenants enjoy their occupancy right only in name. I shall in brief refer here a few instances to show the sufferings of the tenants. Under the Forest Act the carrying of fire, grazing of cattle and tampering with even the twig of a tree is punishable. The forest abounds with wild animals including leopards and tigers. They often play havock with crops and cattle. Not to speak of killing these enemies the tenants have no means of defending themselves and protecting cattle and crops from the depredations of these animals. The guns for which the local people possessed licence have all been taken away from them.

Not only this, the raiyats are subjected to another form of tyranny. The forest guards control the communication in the forest which is used by the people for their own movements and for the transit of their produce and I am aware that they receive anything but gentle treatment from the guardians of the forest. There have been instances, I

am sorry to say, in which dolies carrying "purdah" ladies were detained in the kutchery. These guards are low paid men. It may be imagined easily what tempts them to take up the work in such perilous places infested with wild beasts. It is out of the question to bring these grievances of the raiyats to the notice of the authority and get redress.

The raiyats, unable to put up with these and other hardships, are in large numbers migrating to the jungles of Assam leaving the homes and hearths of their ancestors.

Sir, I should take here another potent factor of friction between the raiyats and the forest guards. Under the new Tenancy Act the raiyats enjoy certain privileges such as the cutting of trees which were hitherto denied to them. And it may be taken for granted that they will be left to the mercy of the forest guards and forest officers whenever they exercise their newly acquired rights. To me it seems, Sir, that the raiyats could have resigned themselves to their lot if the entire forest would have been declared a reserved forest. But in the present state of affairs the whole forest is likely to be turned into a reserved forest to all intents and purposes by driving out the tenants thereupon without apparently infringing the law.

I shall now give only one instance of how the operations of the Forest Act effect the tenants down in the low lands to the west of the reserved forest. The low-lying lands are under water about six months in the year and under cultivation during the other half. During the rains they herd their cattle on the high lands which are now reserved. Now it has become a serious problem with these people to find a pasture ground.

Now, Sir, I shall try to show how this new policy of the Government is vitiated in law. The Government had the consent of the landlords to treat the forest as protected forest. Some of these landlords have not agreed to convert their rights into those of reserved forests with the result that the Government, I believe, have not the requisite number of landlords to agree to the new proposal. In the second place, the legal agreement between the landlords and the Government has not been completed. But that did not deter the Government from constructing settlement offices for the purpose of carrying on the management. Sir, I have in my possession the legal opinion given over the signature of the Hon'ble Sir Provash Mitter while a practising lawyer declaring the action of the Government as illegal. This opinion was endorsed by Mr. Fazl-ul Huq, who is a member of this Council, who appeared on behalf of the aggrieved tenants when cases were instituted against them for the purposes of acquisition by the Government as a protected or reserved forest the consent of two-thirds of the proprietors is necessary. Seven annas' share of the forest in question belong to the Nawab of Dacca in his

capacity as a *mutwali*. It is said that the consent in his case was obtained during his absence from his constituted attorney the General Manager of the Wakf Estate, but such power was not relegated to him under the power of attorney. In many cases the raiyats have applied for inspection of the documents concerned with a view to ascertaining the fact. There is also a declaratory suit pending in the Court of Subordinate Judge of Mymensingh in which the validity of the sanction has been called in question. The fact remains that no such documents have so far been produced or any statement made on behalf of the Government in this connection. I shall leave it to my friend Maulvi Nurul Huq Chaudhuri to deal with further illegalities and irregularities of this matter in moving the token cut that stands in his name.

Sir, the Government be no respecter of persons. Prince and peasant should receive an equitable treatment in its hands. The Government cannot overlook the interest of thousands of tenants for the sake of a few incompetent landlords who cannot manage their own affairs, cannot even profit by the examples of neighbouring zamindars. Sir, the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri is in charge of the entire forest administration of the province. I can well imagine how that administration would fare in the hands of one who cannot protect his own interest in a small portion of the forest. His action betrays his own incompetence and it is no impertinence to ask him to be relieved of the responsibilities of his present office.

Sir, the Hon'ble Nawab Bahadur may not occupy the highest position but he as senior Member of the Council is on the second rung of the bureaucratic ladder. He is the leader of the House and undoubtedly holds great influence with the Government. I know that in moving the reduction in opposition to the Nawab Sahib I have to take my stand against heavy odds. But, Sir, I take my stand on the justice of my cause—a cause which knows no particular creed or community. I take my stand to protect the interests of both Hindu and Mussalman. I appeal in the name of the oppressed tenants of Atia, I appeal to the humanity of hon'ble members of this Council to support my motion.

Sir, I want to make it clear that my proposal for the reduction of grant by Rs. 15,000 is intended to reject the voted grant necessary for the Reserved Forest staff of Atia but which is not separately shown in the budget. In reply to my question in the last session of Council the Government stated that the expenditure under this head amounted to Rs. 27,000 but no figures were shown to denote the voted and non-voted grant. I have therefore moved the reduction of Rs. 15,000 in a lump to cover the rejection of the whole of the voted grants for the expenditure earmarked for the Atia *Pahar*. Before I conclude, Sir,

I assert with the responsibility of my position that every word I have stated will be found to be true on an independent and impartial inquiry into the matter.

Mr. PRESIDENT: Maulvi Nurul Huq Chaudhuri, would you like to move your motion when your time comes or would you support this motion and not move yours? These are almost identical.

Maulvi NURUL HUQ CHAUDHURI: I propose to support this motion. My friend, Babu Amarendra Nath Ghose, has given a vivid picture of the sufferings of the people of the Atia parganah. Now the question is who is responsible for the calamity that has fallen on such a large population? There is one answer to the question and that is, it is the policy of the Government. There was no interest of the Government involved in this matter. The Government did not interfere in the management of the Atia pargana in defence of law and order. Government did not go there for the protection of their own interests or the public interest of the country. The Government interfered at the instance and the instigation of some managers of the Court of Wards. It is not my intention to give you a description of the country in which the utmost severity of the forest laws has been applied by Government. My friend, Babu Amarendra Nath Ghose, has told you that it is a tract of country inhabited by one hundred thousand people and it extends over an area of 102 square miles in the subdivision of Tangail, but I want to supplement some of the information that my friend has given to the Council and on the basis of that information I shall ask for the judgment of the House—a judgment which I hope the Council will express in unequivocal terms. The declaration against which we are complaining was made in 1927, that is 14 years after the final publication of the settlement records of that pargana. Long before the settlement operations commenced this tract of country began to be settled by the inhabitants of the contiguous area on the invitation of the zamindars. I will quote one passage from the report of the District Settlement: "In the Atia portion of this area cultivation is extending so rapidly that except for a portion that is reserved, there are very few *tallas* uncleared." This was written in 1913 and 14 years after Government made a declaration that it was a reserved forest on the basis of the old settlement. In the year 1927 when Government had to make the declaration it accepted the record-of-rights prepared in 1913 as correct and acquired all those plots which were shown in the settlement records of 1913 as being in *khas* possession of the zamindars. What happened was this: Within these 14 years almost the entire area was brought under cultivation and tillage by the tenants who have thus acquired tenancy rights by immemorial custom and practice of jungle cultivation. That practice I need hardly remind the House is this: That as soon as a raiyat enters

upon a land and makes clearance of the place he acquired tenancy rights and the zamindar is entitled to rent according to the prevailing rates and periodical surveys were made by the zamindar to assess the rent.

4-15 p.m.

This was, as a matter of fact, the practice followed by the zamindars up till the year 1927, but unfortunately for the tenants, between the years 1913 and 1927, there was a series of litigations between the Court of Wards and the tenants. The Court of Wards was tempted to claim the *gajari* trees as the bastard *sals* are called because these trees had acquired an economic value in the meantime exceeding the rent payable by the tenants for the same plot of land. The tenants who had brought the lands partially under cultivation were involved in litigation with the Court of Wards, both in the civil and the criminal courts. In all these litigations the tenants had uniformly succeeded against the Court of Wards. The courts of law held that the tenants had a right to the *gajari* trees in all those places where the land was partially cleared. Those plots are known in the locality as *baje-garh*. As a last recourse, the managers of the Court of Wards estates and of some other estates in Mymensingh applied to the Government to enforce the Forest Act in the locality. This was done, I would remind the House, after they were defeated in the courts of law. There were some zamindars who acknowledged their obligation to the tenants, not because of the relationship that should exist between a zamindar and his tenants, but because of the fact that it was at their invitation that the tenants had come and settled on the lands. These zamindars raised an ineffectual protest against the action of the Government. I must here mention the names of some of these zamindars—names which are known all over Bengal. They are Maulvi Wajid Ali Khan Pani of Karotia and Sir Abdelkerim Ghuznavi, the latter of whom is a member of this House. Both of them resisted the attempt of the managers of Court of Wards estates to have these lands declared as forest. This application has a special significance and this is due to the fact that under the Act forest laws are not ordinarily applicable to private lands. But there is one section of the Forest Act, viz., section 38, which enables the owners or at least two-thirds of the owners of the land to apply to Government to have that land declared as forest. This section was the basis of the right of Government to declare that tract as forest, and so an application was presented to Government under that section. This application purports to have been signed by two-thirds of the owners of the lands. Some questions regarding this matter were put in this Council———

[At 4-20 p.m. the Council was adjourned for prayers and it reassembled at 4-30 p.m.]

Mr. PRESIDENT: Order, order. I had better tell the House that the guillotine would fall on the discussion of this demand for grant at 10 minutes to 5 p.m.

Maulvi NURUL HUQ CHAUDHURI: Sir, I was speaking of the application under section 38, which was the foundation stone—as it were the title deed—of the Government's right to interfere. That section requires that at least two-thirds of the owners should make an application in writing and should testify their consent by their signature. A question was put in this Council by my friend Babu Amarendra Nath Ghose, in which he had asked for informations about the names of the landlords and the persons who had made the application. In answer to this question, the Hon'ble the Nawab Bahadur gave a long list of names of the persons who had made the application. I would ask the Council to remember particularly this fact. Babu Amarendra Nath Ghose asked for the names of the proprietors, but what was the answer? In the answer, the first name given was "Dacca Nawab's estate." This is the name of an estate and not of a "proprietor." The second name given was the general manager of the Karotia Wards estate. The third name was the general manager of another wards estate. Now, the Dacca Nawab's estate, which is responsible for nearly 7 annas of the whole of this tract of land according to the reply of the Government, is represented by about 30 or 40 proprietors, and one of them, the Nawab of Dacca, owns about 6 annas share of a certain *tauzi* in his *mutwali* right. The manager of the Court of Wards was at that time acting as an ordinary manager of the Nawab's *wakf* estate. He was not the man who was entitled to make any application under section 38, but still it is this manager—an ordinary manager, not even a manager of the Court of Wards—who signed for the Nawab in that application. As regards the managers under Court of Wards, their powers are defined in the Court of Wards Act, which are strictly limited. They have no right whatsoever to make an application under section 38. It is the Board of Revenue alone who might apply to Government under section 38. The application was not signed by the Board of Revenue authorities on behalf of the Court of Wards estates. The names of the other persons who joined in that application are given in the list. In the list you will find the name of Babu Sankar Nath Ray, minor, represented by his natural guardian the mother. It was not even the mother who signed the application, but her attorney. Now, the power of a guardian is defined in the Guardian and Wards Act. A guardian cannot permanently alienate or divest himself or herself of the estate of the minor. Still, it was the signature of this attorney which was accepted by Government as conclusive for the purpose of an application under section 38. Sometime ago I drew the attention of the Government to this aspect of the question in my starred question No. 58. The Hon'ble Nawab Bahadur had no more information to give

than that the Government was not aware whether these agents and attorneys had any actual authority to sign on behalf of the proprietors.

Sir, I had the advantage of seeing a copy of this application, which was produced before me by one of the owners, and I can say that the names given therein do not justify a declaration under section 38. This document was called for from Government in connection with some litigation which took place between the tenants and the Forest Department. But what did the Government do? They kept back the document. I challenge the Government to produce that document, and I shall prove that it is not worth the paper on which it is written. I can convince the Hon'ble Member in 5 minutes that this is not an application under section 38. Yet the Government purporting to derive their authority from a document which has no legal sanction behind it, declared this tract of land as a reserve forest. So much for the "declaration."

Now, what happened after the declaration? Government let loose their minions—hundreds of them—upon the people on that tract of land, and began to commit in the name of law and order all sorts of oppressions on the poor tenants. The very first act which Government did—and for which the responsibility lies on the District Magistrate and his Subdivisional Officers—was to call the principal tenants at a huge meeting under the presidency of the District Magistrate and attended by the subordinate magistracy and the Forest Officer. Some printed leaflets were distributed amongst the tenants warning them to trust the Government, as Government was their benefactor, their father and their mother, etc., and not to place any trust in the raiyats' association or *samiti* which was started to protect the interests of the raiyats. This manœuvre succeeded for some time, but when the oppression continued, the tenants rallied round the *samiti* or association of raiyats. The executive authority next took measures to break up the association. They instituted proceeding under section 107, Criminal Procedure Code, against the office bearers of the association. This was done after the case against the declaration of Government under section 38 was decided by the Hon'ble the High Court to the effect that the declaration was illegal and *ultra vires*. In spite of this judgment of the High Court, the local officers of Government instituted proceeding against the office bearers under section 107. For what offence or contemplated offence were these proceedings instituted? For the alleged offence of obstructing Forest Officers in their duties and for the alleged offence of making the administration of the forest impossible. As is always the case in this country when both the judge and the prosecutor were combined in the same person, the proceeding ended in an order declaring the association to be illegal. The matter was taken on appeal to the District Judge, but by that

time the power of resistance of the tenants was broken, and so the tenants could not come up before the High Court for a revision of the District Judge's order.

Sir, I ask this House to understand the full implication of this measure. The tenants formed an association for the protection of their own interests. The law of the land gives ample power to any body of persons to form associations. It is one of the fundamental rights of the citizens, but the right was denied to the tenants for the simple reason that they were uneducated and poor. After this, there began a series of oppressions and cruelties of which a vivid story has been given by my friend Babu Amarendra Nath Ghose. I do not wish to cover the same ground over again, but I will tell the House some of the latest incidents of this tragedy. Every man has a right of appeal to Government if he is dissatisfied with the orders of a Forest Officer. When the tenants found that the lands upon which they had built their homesteads and which they had been cultivating had been declared as "forest," they came up to Government in appeal against the orders of the local Forest Officers, and as a test case they preferred three applications to Government setting forth their case. I undertook to prove to Government on behalf of the tenants that between the date of the settlement and date of the declaration of the tract of land as forest, the tenants had acquired tenancy rights in their lands, and that they had received *hukumnamas* from the zamindars and paid rents for which they received rent receipts in many cases.

(Here the member having reached his time-limit resumed his seat.)

4-45 p.m.

Alhadj Sir ABDELKERIM GHUZNAVI: I would like, with your permission, to speak for about 5 or 6 minutes.

Mr. PRESIDENT: I can give you only a couple of minutes, as the time allotted for the discussion of this head will be reached at 10 minutes to 5. The Hon'ble Member in charge of the Department concerned should be given a chance to reply.

Alhadj Sir ABDELKERIM GHUZNAVI: Sir, I rise to support the motion criticising and expressing disapproval of the management of the Atia forests by Government.

I wish to preface my remarks by saying that I can claim to speak with some authority and knowledge on the subject of the Atia forests for two reasons, *viz.*, that I have just come back after an extensive tour of those forests and secondly I happen to be one of the proprietors of those forests. The Dacca Nawab's family are now divided and sub-divided into 50 or more co-sharers and therefore leaving them

aside, the largest proprietor is Mr. Wajid Ali Khan Pani of Karotia, who is the premier Moslem landlord of East Bengal and my humble self holds the next biggest share.

The Atia forests are a very valuable property belonging to the Atia zamindars and these forests are divided into two distinct classes, *viz.*, one class known as Araipara Chakra, where there is an uniformity of shares amongst all the co-sharers. The second portion consists of a large number of forests, where the Atia zamindars possess many varied shares running into decimals and fractions and where some titles are also disputed.

Now, Sir, since a number of years passed thefts on a large scale of valuable timber had been going on and while Mr. Meyer was the Manager of the Dacca Nawab Estate he consulted me on the subject and asked me whether I could persuade the Government to help us in the matter. I consulted the then Member of the Board of Revenue, the late Sir Stevenson-Moore, who suggested that Government might lend us a capable officer from the Forest Department with whose help the proprietors themselves might draw up a scheme, constitute a board from among themselves and take measures for the better management and protection of these forests. Before however this suggestion could be put into effect the local agent at Atia of the Dacca Nawab's estate, who was a man of considerable tact and experience and who had been there for well nigh 20 years and who had made himself thoroughly popular and agreeable to all the other co-sharers, was replaced by the present incumbent, one Satis Chandra Bhattacharjee. Since his advent some years ago, he has made himself thoroughly disagreeable both to the co-sharer proprietors and the tenants and meanwhile Mr. Meyer was replaced by Mr. Pinnell.

The old idea was abandoned and the present agent of the Nawab estates in Atia started the idea of making over the forests to Government for management. Now the members of the Nawab family between themselves possess some 6½ annas' share in the Atia forests and it was a question of merely canvassing and persuading proprietors holding 2½ annas' more share in the Atia forests to join an application to Government, so that the forests may be taken over under section 38 of the Forest Act.

Thus, if two-thirds of the co-sharers apply, the Government are in a position to disregard the wishes of the remaining one-third. A petition purporting to be signed by two-thirds co-sharers was filed and without satisfying the other provisions of the section, *viz.*, that there should be an agreement showing the terms which may mutually be agreed upon, Government was rushed into issuing a notification declaring that the mauzas, villages and plots of land of certain schedules were declared as reserved.

From the very beginning I have been entirely opposed to the scheme, firstly, because it was financially unsound; secondly, because forests, where the Atia zamindars did not possess uniform shares having been amalgamated with the Araipara Chakra, it would be difficult, nay impossible, to allot both expenditure as well as profit; thirdly, as the Bhowal and Talpabad estates had not joined, the administration would be absolutely top heavy; and fourthly, because it would neither be profitable to Government nor to the proprietors nor to the tenants on whom on the other hand a great deal of oppression might be perpetrated in the process. I shall explain later on how it is impossible to avoid the oppression to which I am referring.

Now, Sir, the good Mr. Pinnell spent the best portion of 4 hours in 1924 in trying to persuade me to see the advantage of this wonderful scheme. But unfortunately or fortunately I have remained unconvinced up to the present time and not only myself but more than one-third co-sharers including Mr. Pani, the biggest single co-sharer, have times without number, now declared themselves against the scheme and they are opposed to making over their shares to Government for management.

It was only in last August that an attempt was made by the Forest Department by holding a meeting at Tangail and getting the Collector to preside, to persuade at least two-thirds of the co-sharers to commit themselves to an agreement. This meeting ended more or less in a fiasco. The attempt was repeated in February last at another meeting held in Tangail and this time the Commissioner was made to preside. At that meeting it was clearly discovered that co-sharers holding more than one-third shares in the forests were opposed to the management of these forests by Government. Ignoring the results of these conferences and as well as the letters addressed by the Manager of Mr. Pani pointing out what the real facts were, attempt is still being made to inveigle the unwilling zamindars into an agreement for at least ten years in order to satisfy the provisions of section 38 of the Forest Act as well as to save the prestige of Mr. Pinnell. Mr. Pinnell has gone a step further by addressing a circular letter to the managers of the zamindars who are opposed to this management by raising before them the bogey of the new Tenancy Act as regards cutting of trees where a right has been conferred and rightly conferred on the unfortunate tenants and by means of this bogey he is trying to stampede the objecting co-sharers into his fold.

I pause to ask who is responsible for bringing Government into the position which can only be described as false. The answer is that the Atia agent of the Nawab of Dacca has misled Mr. Pinnell

and the latter in his turn has brought about this impasse. I wish to make it perfectly clear that Government have been drawn into this against their better judgment. I discussed this question with Mr. Sachse and Mr. Nelson who, after hearing me, said that the only course for Government was an honourable retreat.

I shall now go back to the question of the schedules and describe how oppression is being caused and cannot be avoided. The schedules are supposed to have been prepared or at least carefully checked by the Collector's office but nothing of the kind was done. The schedules that were notified were merely those that were prepared by the Nawab's agent and so it is a case of "the voice of Jacob, but the hand of Esau." These include even mauzas, villages and plots of land where the proprietors alleged to have signed the first petition did not possess an aggregate of two-thirds shares. Thus an attempt is being made to disregard the rights and titles even of those co-sharers whose alleged signatures or assent were not obtained in the first petition.

Now settlement operations took place some 16 years ago. Since then thousands and thousands of raiyats have settled in these forests, have built their hearths and homes and have been all these years rightly or wrongly living there peacefully. If any of them now ventures to cultivate his lands, he is promptly seized by the myrmidons of the Forest Officer, when he is either heavily fined and prosecuted or if he is able to well grease their palms, he is let off.

I therefore appeal to every member of this House, particularly to the non-official European members of this Council, to extend their sympathy to these unfortunate beings and prevent them from being hounded out from their hearths and homes.

The Atia zamindars representing more than one-third shares in these forests passed a resolution at a meeting held only the other day, *i.e.*, the 5th of February, 1929, to the effect, *viz.*—

"Resolved that Government be requested to release the Atia forests from their management from the next financial year, *i.e.*, 1st April, 1929."

I appeal no less to the Hon'ble Member in charge of the Forest Department who himself possesses a share in these forests, to extend his sympathy and fellow feelings to his fellow beings and not attempt to perpetrate this injustice any longer.

The motion of Babu Amarendra Nath Ghose was then put and a division taken with the following result:—

AYES.

Acharjya Chaudhuri, Maharaja Shashi Kanta.
Afzal, Maulvi Syed Muhammad.
Ahamad, Maulvi Asimuddin
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Atiquilah, Mr. Syed Md.
Bagchi, Babu Romes Chandra.
Banerjea, Dr. Pramathanath.
Banerjee, Babu Promotha Nath.
Basu, Babu Sasi Sekhar.
Bose, Babu Bejay Krishna.
Bose, Mr. Subhas Chandra.
Chakrabartty, Babu Jatindra Nath.
Chakravarti, Babu Jogindra Chandra.
Chatterjee, Srijut Bijay Kumar.
Chaudhuri, Maulvi Nurul Huq.
Choudhury, Maulvi Khorshed Alam.
Clark, Mr. I. A.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dutt, Babu Saral Kumar.
Forrester, Mr. J. Campbell.
Fyfe, Mr. J. N.
Ganguly, Babu Khagendra Nath.
Ghose, Babu Amarendra Nath.
Ghosh Maulik, Mr. Satyendra Chandra.
Ghuznavi, Alhadj Sir Abdelkerim.
Gordon, Mr. A. D.
Gupta, Mr. Jogesh Chandra.
Haque, Khan Bahadur Maulvi Azizul.
Hoque, Kazi Emdadul.
Huq, Khan Bahadur Maulvi Ekramul.
Karim, Maulvi Abdul.
Kasem, Maulvi Abul.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Mr. Razaur Rahman.
Laird, Mr. R. S.
Lamb, Mr. T.
Maguire, Mr. L. T.
Maiti, Babu Mahendra Nath.
Moitra, Srijut Jogendra Nath.
Mukerjea, Srijut Taraknath.
Nandy, Maharaj Kumar Srie Chandra.
Nasker, Babu Hem Chandra.
Ordish, Mr. J. E.
Pal Choudhuri, Mr. Ranjit.
Phillip, Mr. J. Y
Rahim, Sir Abd-ur-.
Rahman, Maulvi Azizur.
Rahman, Maulvi Shamsur-.
Rauf, Maulvi Syed Abdur.
Ray, Babu Nagendra Narayan.
Ray, Dr. Kumud Sankar.
Ray, Srijut Radha Gobinda.
Rose, Mr. G. F.
Roy, Dr. Bidhan Chandra.
Ray, Mr. Bijay Prasad Singh.
Ray, Mr. D. N.
Ray, Mr. Kiran Sankar.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sanyal, Babu Sashindra Narayan.
Sarker, Babu Naliniranjan.
Sattar, Mr. Abdeel Razak Hajee Abdeel.
Sen, Srijut Nagendra Nath.
Sen Gupta, Mr. J. M.
Solaiman, Maulvi Muhammad.
Suhrawardy, Mr. H. S.
Thomas, Mr. H. W.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Wardeworth, Mr. W. C.

NOES.

Addams-Williams, Mr. C.
Blair, Mr. J. R.
Casselis, Mr. A.
Chaudhuri, Khan Bahadur Maulvi Hafizar Rahman.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Cohen, Mr. D. J.
Dash, Mr. A. J.
Drummond, Mr. J. G.
Ghose, Mr. M. C.
Guha, Mr. P. N.
Hogg, Mr. G. P.
Hussain Nawab Musharrul, Khan Bahadur.
Jenkins, Dr. W. A.
Marr, the Hon'ble Mr. A.
Martin, Mr. D. S.
Mitter, the Hon'ble Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. N.
Mukerji, Mr. S. C.
Philpot, Mr. H. C. V.
Prentice, Mr. W. D. R.
Rahman, Mr. A. F.
Ray Chaudhuri, Mr. K. C.
Sarker, Rai Sahib Rebati Mohan.
Stapleton, Mr. H. E.
Tate, Major General Godfrey.

The Ayes being 71 and the Noes 25, the following motion was carried:—

"That the demand of Rs. 8,71,000 under the head '8.—Forests (Reserved)' be reduced by Rs. 15,000 (so as to refuse the expenditure for the Atia Pahar in the Tangail subdivision)."

The time-limit under the head "8.—Forests" having reached the following motions were not put:—

Maulvi SHAMSUR-RAHMAN: "That the demand of Rs. 8,71,000 under the head '8.—Forests' be reduced by Rs. 100 (on the ground that the permit fee has been raised so high that it has seriously affected the poorer people)."

Srijut NAGENDRA NATH SEN: "That the demand of Rs. 8,71,000 under the head '8.—Forests' be reduced by Rs. 100 (on the ground that the fees have been increased and the laws are very rigorously and unsympathetically applied.)"

Srijut NAGENDRA NATH SEN: "That the demand of Rs. 8,71,000 under the head '8.—Forests' be reduced by Rs. 50 (to draw attention to the fact that the number of Indian Imperial Service officers in the department is very small)."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 8,71,000 under the head '8.—Forests' be reduced by Rs. 2 (to discuss the general policy)."

Srijut NAGENDRA NATH SEN and Maulvi SHAMSUR-RAHMAN: "That the demand of Rs. 8,71,000 under the head '8.—Forests' be reduced by Re. 1 (to draw the urgent necessity of having an up-to-date College of Forestry in Bengal)."

Maulvi NURUL HUQ CHAUDHURI: "That the demand of Rs. 8,71,000 under the head '8.—Forests' be reduced by Re. 1 (to criticise and express disapproval of the action of the Government and the policy underlying the declaration of parts of Atia pargana as a forest under the management of Government in the interest of some private persons and to draw attention to the hardships it has created to the large population of tenants residing in the proclaimed area)."

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 1,15,000 under the head '8A.—Forests—Capital outlay charged to revenue (Reserved)' be reduced by Rs. 15,000."

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 1,15,000 under the head '8A.—Forests—Capital outlay charged to revenue' be reduced by Rs. 4,016."

The following motion was then put and agreed to:—

"That a sum of Rs. 9,86,000, as amended by the Council, be granted for expenditure under the heads '8.—Forests' and '8A.—Forests—Outlay charged to Revenue.'"

9.—Registration.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 27,22,000 be granted for expenditure under the head "9.—Registration."

The estimate exceeds last year's revised estimate by Rs. 6,91,000 and this increase is due chiefly to a sum of Rs. 6,50,000 required for expenditure in connection with the work of transmission of landlords' fees arising out of the recent amendment of the Bengal Tenancy Act. Rs. 10,000 is also required for the purchase of furniture and the cost of binding books in Registration Offices. The balance is to provide for increments due to officers and their staff.

The following motion was called but not moved:—

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 84,000 under the head '9A.—Registration—Superintendence' be reduced by Rs. 24,000."

Maulvi SHAMSUR-RAHMAN: I formally beg to move that the demand of Rs. 26,38,000 under the head "9B.—District charges" be reduced by Rs. 200 (on the ground that the pay of the Sub-Registrars and clerks should be increased).

Maulvi ABUL KASEM: Sir, I rise to support this motion. I feel it my duty to say from the floor of this House that the officers of the Registration Department suffer grievances, real and genuine, which ought to be removed as early as possible. The work of this department is of a very important character, and these poor men have to do very hard work, while they are very ill-paid. Since the passing of the Bengal Tenancy (Amendment) Act, the duties and responsibilities of these men have greatly increased and under the circumstances I think it is only fair that their remuneration should be increased as well. Therefore, I submit that on account of increased responsibility and increased work in the department these men should be given relief by the raising of their salary and also by the recruitment of additional hands. Otherwise, not only will these officers suffer, but the public as well will suffer if the work is not efficiently done.

Srijut NAGENDRA NATH SEN: Sir, I support the motion moved by my friend Maulvi Shamsur-Rahman. The Registration Department is a department of Government which concerns a large number of the general public. It has been shown on the floor of this House many times that the clerks and other ministerial officers, mohurrirs and typists of the sub-registrars' offices are a set of ill-paid persons. On the 31st December and 1st January last there was a conference held in Calcutta of the employees of the sub-registrars' offices and a memorial was sent to Government requesting Government to increase the pay of the ministerial and other officers of the Registration Department. The other day the Hon'ble Member in charge of the Registration Department was pleased to state that because that association happens to be a body not recognised by Government, they were not going to take any action on the memorial submitted by the association. I do not know by what language this action of the Government should be condemned.

Mr. PRESIDENT: Mr. Sen, we are not discussing that matter to-day.

Srijut NAGENDRA NATH SEN: I submit that the memorial of the ministerial officers and other employees of the Registration Department is entitled to be considered sympathetically by Government. Once it was shown by the Secretary in the Registration Department that, comparing the respective salaries of the sub-registrars and head clerks, it is practically the head clerk who does all the things and the sub-registrars simply add their signatures. The whole department is run not by the Inspector-General of Registration, nor by the other supervising officers, but the efficiency of the department depends upon the good will, energy, and hard work that are brought to bear upon the department by the ill-paid clerks and mohurrirs of the Registration Department. The question is whether their pay is adequate and commensurate with their labours. The salaries of highly paid officers of Government are always being increased, but when the question of increasing the pay of ill-paid clerks is raised, Government comes forward with the plea that there are no funds. The matter ought to be more sympathetically dealt with. It is common knowledge that in many cases in the sub-registrars' offices in the mufassal, copies cannot be had within a reasonable time because of the extra work entailed by the heavy pressure of work and because Government do not provide sufficient number of extra mohurrirs. I know from my personal experience that in order to obtain a copy an applicant has to wait in some cases for 21 days, and this in all conscience should be avoided. Do unto Cæsar what is due to Cæsar. These clerks work very hard and they earn their

livelihood by the sweat of their brow, and it is but fair that they should be adequately remunerated. The maximum pay of a head clerk in a sub-registrar's office, which he can expect to get after 30 years' service, is Rs. 70. There is no chance or prospect of his promotion or transfer to any other office. The clerks in sub-registrars' offices do not belong to the District Officers' establishment, so that transfer from the sub-registrar's office to the Collector's office is an impossibility. There is absolutely no reason why this should be the case. The sub-registrar's office is under the Collector and the time has now come when there should be a general opening for officers of one department to be transferred to another department.

The copyists and extra mohurrirs in the Registration Department get one-fourth of that which is allowed to copyists of civil courts and Collectors' offices. There should not be this invidious distinction between one class of officers and another class.

Then as regards the sub-registrars, their duties are onerous and their responsibilities great, and unless you pay handsomely, honesty and conscientiousness cannot be expected from them. Sub-registrars deal with documents relating to large amounts and they should be always above suspicion. The sub-registrars are called upon to register wills when the testators are in some cases on the point of death. It is common knowledge that sub-registrars are seduced by bribes and they should be adequately paid in order that they may be above such temptations. With these words I support the motion.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: In opposing this motion, I propose explaining to members of the Council the situation in regard to the pay of sub-registrars and clerks in registration offices.

Before the last revision of pay the pay of sub-registrars was—

Grade.		Rs.
I	...	150
II	...	125
III	...	100
IV	...	75
V	...	50

and of District Sub-Registrars—

Grade.		Rs.
I	...	250
II	...	225
III	...	200

In January, 1923, these rates of pay were revised on account of the increase in the cost of living. The scale fixed was Rs. 80—6—140 (efficiency bar)—6—200 (efficiency bar)—10—250. Sadar sub-registrars were allowed an incremental special pay of Rs. 75—5—100 in addition to the time-scale pay.

These rates of pay were fixed after careful consideration of the rates of pay in other services, of the nature of the duties and responsibilities involved and as stated above in consideration of the increased cost of living which had occurred between the time when the original pay was fixed and 1923 when it was revised.

Since 1923 there has been no appreciable increase in the cost of living which would justify an increase in pay. Neither has there been any increase in the volume of work or weight of responsibility shouldered by sub-registrars. For these reasons Government have not found it possible to consider any requests for increase of pay and I hope members of the Council will agree with me in holding that the Government cannot consider proposals for increasing the pay of one service alone until it has been clearly established that its work involves more responsibility relatively to other services.

In regard to the pay of clerks similar consideration must also apply. Their pay was revised in 1922 and since then neither the cost of living nor the volume or nature of their work has changed in any degree justifying increase of pay.

The scales of pay are now—

		Rs.
Head clerk	...	60—4—80
Sadar clerk	...	40—2/2—60
Sadar muhurrir	...	30—½—40
Mufassal clerk	...	30—½—45
Mufassal mohurrir	...	25—½—35

Representations from the clerical staff are still before Government and I can give no undertaking concerning the orders that may be passed thereon. But I assure members of the Council that Government are not unsympathetic towards low paid officers and are compelled to decide these matters on clearly defined principles and with strict regard to the finances of the province. As Government have not yet passed orders on the representations of the clerical staff I suggest that it would be better if the Council at present expressed no opinion on the case.

The motion of Maulvi Shamsur-Rahman was then put and lost.

The following motion was called but not moved:—

Babu AMARENDRA NATH GHOSE: "That the demand of Rs. 26,38,000 under the head '9B.—Registration—District charges' be reduced by Re. 1 (to discuss the poor pay of the staff)."

Maulvi ASIMUDDIN AHAMAD moved that the demand of Rs. 6,50,000 under the head '9B.—District charges (Lump provision for transmission of landlords' transfer fees in connection with the amendment of Bengal Tenancy Act)' be refused (as a protest against the passing of the Bengal Tenancy Act).

He spoke in Bengali, the English translation of which is as follows:—

"Sir, in July last when the Bengal Tenancy Act was amended in this House some member of the House who was himself either a landlord or a tenant or a well-wisher of the tenants suggested that the Act should be so passed as to allow the payment of the landlord's fees for mutation of names at the registration office when the deed for the same is presented for registration. This suggestion was acceptable to Government, and a provision to this effect was made in the amended Bill and got passed by Government. This measure has benefited neither the landlord nor the tenant; on the contrary, it is causing loss to both the parties. The loss is felt also in two ways. Firstly, the tenant has to pay the fees in advance at the registration office before the land in question comes into his possession and the landlord experiences inconvenience in the receipt of the money. Secondly, the money lies barren during the period intervening between its payment to Government and actual receipt by the landlord and then these six lakhs and a half of rupees—which are public money—are being spent by Government against the wishes of the people. This money might have been spent, with highly beneficial results to the people and the agricultural classes; on compulsory primary education and agricultural loans to the latter at a low rate of interest or without interest. But Government have not done so and are wasting the money on a useless work. I recommend, therefore, that the demand should be rejected."

Srijut NAGENDRA NATH SEN: On a point of order, Sir. Is the mover in order in moving this motion on this point? Is this relevant now?

Mr. PRESIDENT: Would you please explain your case?

Srijut NAGENDRA NATH SEN: He is attacking the provisions of the Bengal Tenancy Act, which has already been passed by the Council, and he should not be permitted to take advantage of this motion to bring in those provisions for consideration now.

Mr. PRESIDENT: Have you got anything to say in defence Maulvi Saheb? Perhaps you want to move this motion in order to protest against the expenditure being incurred in connection with the amendment of the Bengal Tenancy Act?

Maulvi Asimuddin Ahamad signified his assent.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: Sir, it is hardly necessary for me to defend this motion. The mover wishes to protest against what has been decided by the Council—the passing of the Bengal Tenancy (Amendment) Act. The demand of Rs. 6,50,000 has been framed by Government in order to carry into effect all the intentions of the majority of the Council and I presume the Council will support the Government in this matter.

The motion of Maulvi Asimuddin Ahamad was then put and lost.

Rai SATYENDRA NATH ROY CHOUDHURI Bahadur: I beg to move that the demand of Rs. 26,38,000 under the head "9B—. Registration—District charges" be reduced by Re. 1 (to discuss the inefficiency of the Department and to make suggestion).

Sir, the Registration Department is an important limb of the administration but it is a neglected one. As Police is entrusted to protect the life and movable properties of the people, so the Registration Department is partially entrusted with the protection of the immovable properties of the people from fraud and forgery. Thus it functions a no less responsible task—solemnity to a document is attached by registration and properties worth crores are transferred by registered conveyances—a dishonesty in registering officers can make many people beggars. Thus the responsibility of these officers are very great. I say this department is neglected because Government shows the least solicitude for housing these officers and even do not in many cases give proper and adequate office houses though its necessity has been increased by the recent Bengal Tenancy (Amendment) Act. Government has provided some money for the expansion of work in this department by the Bengal Tenancy (Amendment) Act, but, I believe, none for the officers and their quarters, though daily deposits of landlord's fees in the outlying officers may be very great.

My chief complaint against the department is that the department is not properly manned and paid. The clerks of the Registration Department from whom the majority of rural sub-registrars draw their inspiration of law and rules are far inferior in ability than the ministerial officers of civil, criminal and revenue offices. The majority of the rural sub-registrars are wanting in the required knowledge of law. So documents, drawn up by expert lawyers but beyond the sphere

of knowledge of sub-registrars, are refused. The half-literate deed-writers who get their inspirations and instructions from registration office clerks can never go beyond the stereotyped forms of documents approved by the sub-registrar or his head clerk, and the innocent parties only suffer for the defects in these documents when they come to law courts. Copies of documents that are supplied from the registration offices are in some cases so badly written that they are hardly legible—this is owing to the retention of ill-paid copyists. I shall illustrate by one or two examples. The sub-registrars only know "release," the majority of them do not know "relinquishment," and if any document styled as "relinquishment" *Jeeban Satwa tyaga patra* by a Hindu widow is presented for registration many of the sub-registrars will throw it away; if he is prevailed upon to accept it, he is sure to put a wrong stamp value on it and I have seen different sub-registrars of different districts realising different stamp values for such documents. If any document of "disclaimer" by a Muhammadan female is presented for registration, it is generally thrown off in anger as it is not provided in their code. They are ignorant of the fact that a legal heir may lose his right by lapse of time and adverse possession when a deed of "disclaimer" by such persons in favour of the person in possession is quite lawful. In such cases they will invariably insist upon "*kobala*." Again the sub-registrars will insist upon two documents when a person wants to convey his immovable properties and mortgages of immovables by one document or when two persons jointly execute a conveyance of two properties in one of which they are jointly interested and in the other one is the sole owner.

The most responsible task of sub-registrars is to protect illiterate persons and females from fraud and here I may confidently say they bestow very little care. Fraudulent documents are being daily registered and cases of this nature are daily increasing. As it is very difficult to establish fraud after the deed is registered and specially when there is some delay, such cases do not generally succeed in criminal courts, but in civil courts success of such cases is not uncommon though the higher authorities do not take any notice of it departmentally. True it is that sometimes there is so great rush of documents that sub-registrars cannot make time to take the precaution necessary in this direction, but can I ask the Government how many such cases are yearly detected by the sub-registrars and are sent up for trial?

The quality of the staff in this department should be improved, and if necessary the cadre should be increased with better prospect.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: In answer to the hon'ble member who complains of the inefficiency of the department I may point out

that the department is manned by officers who are well qualified for the work they do and who loyally carry out the work often amid considerable difficulties. Offices have to be opened in remote and uncongenial places where buildings are difficult to obtain and educational and other amenities are few and far between. Officers work without complaint and it is a tribute to the work of the department that the demand for new offices and the objections received to proposals to remove offices are so vigorous and frequent. Of the officers recruited for this department many are M.A.'s, M.Sc.'s, B.A.'s, B.Sc.'s, and B.L.'s. Ordinarily no one who is not an I.A. and I.Sc. is appointed as a probationer. I hope that the mover of this motion will not press what may seem to be an attack on well-qualified officers who work hard and faithfully under conditions which are very often severe.

The motion of Rai Satyendra Nath Roy Choudhuri Bahadur was then put and lost.

Babu AMARENDRA NATH GHOSE moved that the demand of Rs. 26,38,000 under the head "9B—Registration—District charges" be reduced by Re. 1 (to discuss the inconveniences of the parties).

He spoke in Bengali.

5-30 p.m.

Maulvi ASIMUDDIN AHAMAD spoke in Bengali, the English translation of which is as follows:—

"Sir, I rise to support the motion moved by my friend, Babu Amarendra Nath Ghose. My object is nearly the same as that which prompted my friend to bring his motion, but there is a slight difference in this that my friend suggests that after presentation of a deed at the registration office for registration, the sub-registrar should fix a subsequent date on which the registration must take place, while I suggest that the registration of a document should take place on the same date on which it is presented for the purpose.

If the suggestion made by my friend materialises it will make things very serious. It will be admitted by very many that it is a very difficult thing to persuade the executors of deeds and persons for the purpose of identification to come to a registration office. Ordinarily, people executing some deed or other show unwillingness to register the same. In these circumstances, the policy of compelling a party to go to a registration office ten or twelve miles away for the second time for registering their documents after they have submitted them at the office on a previous date is very unwise. The chances in such a contingency are that owing to the unwillingness of the parties seeking registration to bear the hardship of travelling to the registration office documents may be left unregistered to the serious detriment to the

party in whose favour a deed is executed. We know that in the mufassal many sub-registrars do not attend office punctually, nor do they regularly do their duties. If they did there would be no occasion for returning a document. Government should carefully ascertain how many documents may be registered in the course of a day and whether the maximum number of documents are actually registered daily and they should pass strict orders on the sub-registrars to register all documents on the same day on which they are submitted unless it is physically impossible to do so. No question can arise as regards deeds executed by women. I think that it will be improper to frame any rule, making it permissible to return a deed submitted for registration, after fixing a subsequent date."

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: In replying to the various complaints which have been made to-day and which have been made from time to time, I must first point out that Government are not unsympathetic, neither are they oblivious to the comfort and convenience of those members of the public who have occasion to do business in registration offices. As members of the Council know, registration offices have to be opened in many places where suitable office accommodation does not exist and where accommodation for female waiting rooms does not exist. Within the limits of funds at their disposal, Government do their best to provide buildings suitable for offices, but until they can find funds to carry out a wide building programme, they are faced with the unpleasant alternative of either continuing an office with unsuitable buildings or of closing it down.

Every effort is being made to hire suitable buildings, but these are not always available in places where registration offices have to be opened. It must further be remembered that female registrants are few and it will not be proper to undertake to provide waiting rooms for females in every registration office in Bengal. I can assure the Council that wherever possible Government will do their best to provide proper facilities for females who have to transact business in registration offices.

Government are fully aware that registration work is seasonal—at one time of the year it is heavy and another light. It is not possible to duplicate the staff at the heavy season and to discharge it when the work falls off. While therefore having every sympathy for the resultant inconvenience caused to the public, Government cannot provide any complete remedy. Any suggestions which may be offered for mitigating the inconvenience will be received gladly and examined most carefully, but I must oppose the motion if it is pressed.

The motion of Babu Amarendra Nath Ghose was then put and lost.

The following motions were called but not moved:—

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 27,22,000 under the head '9—Registration' be reduced by Rs. 1,000."

Babu NALINIRANJAN SARKER: "That the demand of Rs. 27,22,000 under the head '9—Registration' be reduced by Rs. 101."

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 27,22,000 under the head '9.—Registration' be reduced by Rs. 100 (to raise the question that there is no necessity for keeping up a separate Registration Department and that it should be amalgamated as one service with the Executive and Judicial Branches of the Provincial Civil Service)."

Srijut NAGENDRA NATH SEN: I beg to move that the demand of Rs. 27,22,000 under the head "9—Registration" be reduced by Rs. 100 (on the ground that the fees have been exorbitantly raised and also on the ground that Rules revising or regulating fees should be published for eliciting public opinion).

Sir, as the agenda paper will show, my reason for tabling this motion is to draw attention to the fact that even in the registration offices the fees have been exorbitantly raised of late, and the fact that the rules for regulating or revising the fees should be published for eliciting public opinion. Up till the year 1908, the Indian Registration Act, 1877, was the law of the land, when it was replaced by Act XVI of 1908, but with practically no changes or modifications. Under the provisions of the Indian Registration Act, the Lieutenant-Governor, now His Excellency the Governor, has the power of making rules regulating certain fees which should be levied both for registering documents and for obtaining copies thereof from the registration offices. The fees are as many as fourteen in number and range from (*a*) to (*n*) and some of these fees are also sub-numbered, viz., (1), (2) and (3). So the total number of fees leviable under the Registration Act comes to nearly twenty. His Excellency the Governor has, under the provisions of the Indian Registration Act, certain powers to make rules; and as soon as these rules are published, they have got the force of law, statutory as it were. There is no obligation on the part of Government to circulate these rules for the purpose of eliciting public opinion. The scales of fees were raised in 1922—they were raised by nearly 50 per cent. in every case, with no single exception I might say. A few days later on, by an executive order of Government, a notification was published in the

Calcutta Gazette, enhancing the fees for the registration of documents and for getting copies thereof by cent. per cent. So with the stamp duties increased by 50 per cent. and the registration fees increased 100 per cent. the poor people find it difficult both in registering documents or taking copies thereof. The object of this motion is to impress upon the Government the necessity of publishing these draft rules for eliciting public opinion. Under the terms of our constitution there is a sub-committee on registration. But I may ask the Hon'ble Member in charge how many times this sub-committee has been called to sit and meet together for the purpose of discussing matters of registration during the time of the present Council. When the fees were enhanced, absolutely no grounds were stated as to the necessity for the enhancement of the fees. People are apt to say and to think that it is simply to find the cost of the top-heavy administration that both the stamp duties and the registration fees have been enhanced. In connection with a previous motion of Srijut Taraknath Mukerjea which has been carried by this Council, we were told that when the stamp duties were increased by Statute, a solemn pledge was given by the Hon'ble Member-in-charge that the excess realisation from this head would go for the upkeep of the nation-building departments. So it was impliedly thought that the enhanced fees which were levied on account of registration would be set apart for the upkeep of the nation-building departments: but we have been entirely disillusionised in regard to that: our hopes and expectations have been frustrated—not a single pie out of the enhanced fees which have been realised during these years has been spent for purposes of nation-building departments, or for the purpose of bettering the emoluments of the officers of the Registration Department. The poor clerks, the extra mohurrirs, as they are called, the typists and copyists now receive practically the same pay or the same fees as they used to receive before these fees were enhanced. I would challenge the Hon'ble Member-in-charge to show by facts or figures the total amount of revenue realised by the increased fees and the total expenditure incurred in the matter of the increment of pay, fees and commissions to these poor employees, viz., clerks, extra mohurrirs, copyists, etc.

A complaint has already been made by my friend, Babu Amarendra Nath Ghose, with regard to the facilities afforded to the general public who have occasion to frequent registration offices. Any one who has been to a registration office will have realised the extreme hardships to which our womenfolk attending registration offices for registration of documents have to undergo. They have to wait there the whole day either under the shade of an umbrella or of a tree, or in a covered palanquin or a carriage where such conveyance is available, shut out from light and air. The reason is the want of sympathy on the part of the top-heavy administration from top to bottom. If the superior

officers of the administration and of the Department would only show some sympathy for the poor people who have to attend the registration offices and have to undergo the extreme hardships, these grievances would be minimised and remedied in no time. There is no provision for the supply of drinking water. If rules had been framed and the public taken into confidence, these inconveniences could have been avoided. Now, the fees are exorbitant and the people can demand proportionate increase in their comforts and if Government do not look to the convenience of the people, they will certainly be blamed.

5-45 p.m.

In future the fees should be regulated and rules should be framed after the public had been taken into confidence and given an opportunity to express their views.

Dr. PRAMATHANATH BANERJEA: Sir, I rise to support this amendment. Three or four years ago the registration fees were doubled in most cases, and this was done behind the back of the legislature. Now it is the settled principle of every civilized Government that additional taxation should be levied only by the legislature. It is true that the Registration Act gives the Executive power to increase registration fees, but I should ask the Government of Bengal to take a leaf out of the book of the Government of India. The Central Government have the power to increase the salt duty without the sanction of the legislature, but when the Government of India thought it necessary to increase the salt duty five years back, the proposal was placed before the Legislative Assembly in the form of a Bill. The same procedure, I submit, should be adopted in Bengal. It is not right that additional taxation should be resorted to without the sanction of the legislature. Then, Sir, when the fees were enhanced, it was not made clear what was the purpose behind this enhancement. We were not told, the public of Bengal were not told, that there was any necessity for increasing these fees. That was very unsatisfactory procedure. The people of Bengal and their representatives in the Legislative Council ought surely to be informed of the necessity which arises for the levy of any additional tax. Then, Sir, how is this money spent? I believe 12 or 13 lakhs of rupees are realised every year by means of these enhanced fees, but how is this sum spent? This money is being frittered away between the various departments of the Government. If it was at all necessary to enhance the fees the sum ought to have been set apart for some definite purpose relating to the health and wealth of the country, such as education or sanitation. But nothing of the sort was done. I submit, Sir, that if on any occasion it is found necessary to enhance fees, it should not

be done through the back door, but a Bill should be brought before the Legislative Council and the necessity of the measure should be clearly explained to the public.

SECRETARY to GOVERNMENT, DEPARTMENT of EDUCATION (REGISTRATION) (Mr. A. J. Dash): Sir, the mover of this motion has raised two points which I propose dealing with. The subject of both these points is the issue of a revised table of fees which came into effect on the 1st October, 1928. It is claimed, in the first place, that any revision should be first published for the purpose of testing public opinion. No previous publication was made in the present case and one of the reasons for this is that such a publication is not required by law. Neither is there any precedent for such previous publication. I will not go so far as to say that in no case would Government publish proposals for increasing fees, but I wish to make it clear that in the present case there was no necessity for previous publication. In the first place the alterations were extremely slight and not particularly important. The most material alteration is in paragraph F (*1*), proviso (*a*), which says that no fee for the search of indexes of any one office in respect of any one name of person or property shall exceed Rs. 20. I myself can find no ground for any reasonable complaint in this matter of paying fees for searching the indexes and inspecting the registers.

The second point I wish to make is that the revision actually involves no hardship. It will be found in paragraph F (*1*), proviso (*b*), that no fee for search of indexes or inspection of registers shall be payable if an application for copy of a document is accompanied by the original registered deed or by a certified copy. It will therefore appear that persons who are reasonably businesslike will be exempt from the payment of such fees, and it is only reasonable that applicants who wish to search through a large number of registers and indexes should pay a fee proportionate to the trouble involved to the staff, and to the number of registers examined.

Some reference has been made to hardships. I am not certain whether this is in relation to the alteration in fees made in 1925. In any case it should be noted that in 1925 the *ad valorem* fees were not raised in cases where the value did not exceed Rs. 250. The present motion, I take it, refers to the revision in fees made with effect from 1st October, 1928.

The motion of Srijut Nagendra Nath Sen was then put and lost.

The following motion was called but not moved:—

Srijut NAGENDRA NATH SEN: "That the demand of Rs. 27,22,000 under the head '9—Registration' be reduced by Rs. 50, (on the ground of the smallness of pay and emoluments of the ministerial officers of the department)."

Maulvi ASIMUDDIN AHAMAD moved that the demand of Rs. 27,22,000 under the head "9.—Registration" be reduced by Rs. 3 only. (Increase in registration fees).

He spoke in Bengali, the English translation of which is as follows:—

"My object in moving the present motion is that I want the Hon'ble Member to inform me whether the enhanced registration fees will be reduced, and, if they will not be reduced, why not. As the income of the Registration Department has unexpectedly increased Government ought to reduce registration fees by all means, because in most of the cases, men get their documents registered only when they are in difficulty."

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: On a point of order, Sir. The member is speaking on the increase of registration fees which has already been discussed in connection with Mr. Sen's motion.

Mr. PRESIDENT: I quite understand your point, Nawab Bahadur, but the difficulty is that different reasons were given for different motions and that is why motion No. 110 came between 109 and 111.

The motion of Maulvi Asimuddin Ahamad was then put and lost.

Babu AKHIL CHANDRA DATTA: Sir, I beg to move that the demand of Rs. 27,22,000 under the head "9.—Registration" be reduced by Re. 1 (to protest against the exorbitant rate of fee).

Sir, I want to invite the attention of Government to the hardship caused to the people by the introduction of an exorbitant rate of registration fees. The matter has been discussed by my friend Dr. Banerjea and I do not want to take up the time of the Council by going over the same grounds again. I should, however, like to reply to one remark of the Government Member. It was said that the publication of the revised scale of fees was not required by law. Well, it may or may not be required by law, but it is not only fair that the Council should have been consulted in this matter. We are not all governed in every matter by statutory laws, but there is something beyond the ordinary law. It has been said that the alteration is very slight. If the alteration was so very slight, then why don't you restore the former scale in spite of repeated requests year after year in this Council? It only proves how absolutely callous you are to the wishes and opinion of the people. Then it has been said that there has been no hardship. Do you seriously say this, when people have to pay more for the same business than what they had to pay previously? It is difficult to understand this sort of argument.

Mr. PRESIDENT: Order, order. The time-limit is reached. I do not think that Babu Akhil Chandra Datta's motion should be put, because the reasons advanced by him are more or less identical with those advanced by the mover of motion No. 109; whereas the reasons given by the mover of No. 111 and those given by the mover of motion No. 112 are not the same, and I think the decision which the House recorded with regard to the motion of Srijut Nagendra Nath Sen governs the motion of Babu Akhil Chandra Datta.

The time-limit under the head "9.—Registration" having reached the following motion was not put:—

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 27,22,000 under the head '9.—Registration (Transferred)' be reduced by Re. 1 (to raise a discussion on the general policy and administration of the department)."

The motion that a sum of Rs. 27,22,000 be granted for expenditure under the head "9.—Registration" was then put and agreed to.

9A.—Scheduled Taxes.

0 p.m.

The Hon'ble Mr. A. MARR: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 15,000 be granted for expenditure under the head "9A.—Scheduled Taxes."

Sir, this expenditure all falls under one payment—payment to the Royal Calcutta Turf Club, and I think I should explain or rather repeat the explanation which I made last year as to what this payment is for and what it consists of. The receipts under Chapter II of the Amusements and Betting Tax Act consist of a percentage of winning bets realised under that Act. The bookmakers with whom the bets are made are under the control of the Turf Club and under the rules have to file all their betting books with the Turf Club. In the same way the totalisators are under the control of the Turf Club, and they make up all the tote accounts. In connection with that work, they also calculate what tax is due to Government under the Act of these bets both with the bookmakers and on the totalisators. They collect the tax and pay it into the treasury. For this service and in order to pay the establishment required for this work Government make a lump payment of Rs. 15,000 to the Stewards of the Turf Club. This bargain with the Club was made at the time of the passing of the Act, and from the point of view of Government it is a very paying proposition. The betting tax estimated for the next year amounts to Rs. 13½ lakhs. In addition to that we collect Amusements Tax on the charges

for entrance to the race course—the total under the head "Amusements Tax" amounts to Rs. 4½ lakhs. I cannot say how much of this is due to the entrance fees to the race course but it is safe to take it at Rs. 1½ lakhs. Therefore, through the Turf Club we realise somewhere about Rs. 15 lakhs for which we pay only Rs. 15,000. It is one of the cheapest taxes to collect that we have.

This arrangement was come to in 1923 immediately after the passing of the Act.

Mr. D. N. ROY: I beg to move that the demand of Rs. 15,000 under the head "9A.—Scheduled Taxes (Reserved)" be reduced by Rs. 14,999.

Sir, the Hon'ble Mr. Marr has in effect told us that if we disallow this Rs. 15,000 we shall stop an income of about Rs. 15 lakhs or so. That, I submit, is a very poor excuse for the vice of betting which such an expenditure as this must necessarily bring in its train. Government try to suppress or prevent other sorts of gaming and wagering but they are actually encouraging this sort of gambling openly. It is well known how this form of amusement has been the cause of ruining many a happy home in our country. It is on this question of principle—a moral principle—that I have brought this cut before the House.

With these few words I move my motion for reduction.

Srijut NAGENDRA NATH SEN: If you permit, Sir, I should like to speak in support of this motion and later shall move the motion which stands in my name.

Mr. PRESIDENT: Mr. Sen, if you do not want to move the motion which stands in your name, then you can speak in support of this motion.

Srijut NAGENDRA NATH SEN: Very well, Sir.

Sir, in supporting the motion of my friend, Mr. D. N. Roy, I should like to say that as has been explained by the Hon'ble Finance Member and as appears from the budget, this Rs. 15,000 will not account for the whole expenditure. This Rs. 15,000 represents the annual payment on account of the collection made by the Royal Calcutta Turf Club on behalf of Government. The Hon'ble Mr. Marr has also pointed out that the refusal of this demand means a loss of nearly Rs. 15 lakhs. From page 6 of the Budget Estimates, it appears that the estimated amount in 1929-30 is Rs. 18,00,000 as shown in "9A.—Scheduled Taxes." That is a very tempting suggestion no doubt, and I put it to the members of this House whether such a bait should be

offered by a responsible officer of the Government. Yesterday while discussing the excise policy of the Government I respectfully submitted before the members of this House that the excise revenue was derived from immoral sources. I again repeat with all the force that I can command that the revenue from bettings is also derived from immoral sources, and any expenditure which has to be incurred for the collection of this revenue derived from immoral sources is also tainted with immorality. I say to the non-official European members, headed by Mr. Travers, whether they know it or not that thousands of poor Indian families have been ruined by this mania for gambling, by this mania for horse-racing. I imagine, Rs. 18,00,000 is the tax which is derived as the revenue by the Government on the huge amount that is collected by the book-makers. Think of the total amount of which the people of Bengal become out of pocket owing to this mania for horse-racing. Is it not gambling? If it is a game, if it is the desire of the Government to make people participate in horse-racing, if it is thought to be a laudable object, then encourage it by all means; but if you think from your heart of hearts that this mania is a gambling, that it is nothing short of gambling, that it is vicious, then stop it by all means. Do not encourage gambling, do not encourage horse-racing and do not increase your revenue by encouraging people to participate in it; and deprive them of their good money by spending it like water on horses thereby augmenting the revenues of the Government. Thousands of people throng in the Maidan during the races. How many of them return home with exactly the same amount of money which they took with them when they went down to the races. It will be said that in this respect the Europeans are greater sinners than Indians. I think my European friends can take care of themselves but I am concerned with the poor men, the poor Bengalis, who can hardly afford to lose any money on the races. Every form of betting, every form of gambling is a crime under the Indian Penal Code with the exception of horse-racing, and why, because—and my European friends will excuse me for what I am going to say—Europeans have got a great fancy for it. We Bengalis have a great talent for imitation and we are imitating this bad habit from our European neighbours. It is high time that this habit should be discouraged and Government should set their face against this immoral practice. We urge upon the Government to discourage and penalise betting and horse-racing and by reducing this amount of Rs. 15,000 by Rs. 14,999 Government will be in a position to pay nothing more than Re. 1 to the Royal Calcutta Turf Club which means disapproval of the policy of recognising the horse-racing and realising a tax therefrom.

Babu MANMATHA NATH ROY: Sir, it gives me great pleasure to support the motion brought forward by Mr. Roy. It cannot be denied that this form of gambling has brought ruin to many

persons and families in this country, and I would ask the Government to make a declaration of its policy in this matter, whether the Government does not consider it desirable to suppress or in any way to reduce or to control this gambling which has been rightly characterised as pernicious, as abnoxious and which undoubtedly is a baneful curse, as matters stand now in the country.

Mr. H. S. SUHRAWARDY: Sir, if the result of this motion will be that the horse-racing will be stopped in Calcutta and its vicinity, I shall be glad to support it, but I am afraid that this will not be the direct result. Of course we shall lose the mild interest which most of us experience every year in the fate of the Derby lottery, but I think we are prepared to forego that for the sake of the very many people who will be benefited if the race course is abolished. I think, before we vote, we should like to hear from the Hon'ble Mr. Marr whether that would be the direct result of the passing of this motion.

The Hon'ble Mr. A. MARR: I feel certain that, if this money is not voted by this Council, this will in no way stop horse-racing in Calcutta and Barrackpore, or betting in Chandernagore or elsewhere. I am not here to defend horse-racing or any form of gambling; I am here to carry out the wishes of the House. This House passed the Bengal Act IV of 1913 which allows betting. This House also passed the Betting and Amusements Tax Act in 1922 which lays down that such gambling should pay certain fees. I am only here to collect those fees. As long as these Acts are in force, these fees have got to be collected.

It this House wishes to discourage gambling, then I would ask them to repeal those Acts. Then these items will disappear from the budget. I sympathise with Mr. Sen when he said that he comes back from the race course with less money in his pocket than when he goes there. I have had exactly the same experience.

6-15 p.m.

The motion of Mr. D. N. Roy was then put and a division asked for.

Mr. J. R. BLAIR: On a point of order, Sir, may I suggest that those who are in favour of the motion may be asked to rise in their seats instead of all of us going through the lobbies.

Mr. PRESIDENT: Mr. Blair, I have always found that it takes as much time to count the hands as to go through the lobbies. I would therefore take the division through the lobbies as it has been called for.

The division was then taken with the following result:—

AYES.

Ahamad, Maulvi Aeimuddin.
Bagchi, Babu Remes Chandra.
Banerjea, Dr. Pramathanath.
Banerjee, Babu Prometha Nath.
Basu, Babu Sasi Sekhar.
Biswas, Babu Surendra Nath.
Bose, Babu Bejoy Krishna.
Chakraburtty, Babu Jatindra Nath.
Chakravarti, Babu Jogindra Chandra.
Chatterjee, Srijut Bijay Kumar.
Datta, Babu Akhil Chandra.
Dutt, Babu Saral Kumar.
Ganguly, Babu Khagendra Nath.
Ghose, Babu Amarendra Nath.
Gupta, Mr. Jogesh Chandra.
Maiti, Babu Mahendra Nath.
Moitra, Srijut Jogendra Nath.
Mukerjea, Srijut Taraknath.
Pal Choudhuri, Mr. Ranjit.
Rahman, Maulvi Azizur.
Ray, Dr. Kumud Sankar.
Ray, Srijut Radha Gobinda.
Roy, Babu Manmatha Nath.
Ray, Dr. Bidhan Chandra.
Ray, Mr. D. N.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarker, Babu Naliniranjan.
Sen, Srijut Nagendra Nath.

NOES.

Acharjya Chaudhuri, Maharaja Shashi Kanta.
Addams-Williams, Mr. C.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Blair, Mr. J. R.
Cassells, Mr. A.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Clark, Mr. I. A.
Dash, Mr. A. J.
Drummond, Mr. J. G.
Fyfe, Mr. J. H.
Ghose, Mr. M. C.
Ghosh Maulik, Mr. Satyendra Chandra.
Hogg, Mr. G. P.
Hosain Nawab Musharruf, Khan Bahadur.
Huq, Khan Bahadur Maulvi Ekramul.
Hussain, Maulvi Latafat.
Jenkins, Dr. W. A.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Khan, Mr. Razaur Rahman.
Laird, Mr. R. B.
Lamb, Mr. T.
Maguire, Mr. L. T.
Marr, the Hon'ble Mr. A.
Mitter, the Hon'ble Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. N.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Ordish, Mr. J. E.
Philip, Mr. J. Y.
Philpot, Mr. H. C. V.
Prentice, Mr. W. D. R.
Ray Chaudhuri, Mr. K. C.
Rose, Mr. C. F.
Sanyal, Babu Sashindra Narayan.
Sarker, Rai Sahib Rebati Mohan.
Stapleton, Mr. H. E.
Suhrawardy, Mr. H. S.
Tate, Major General Godfrey.
Thomas, Mr. H. W.
Travers, Mr. W. L.
Wordsworth, Mr. W. C.

The Ayes being 28 and the Noes 42, the motion was lost.

[At 6-20 p.m. the Council was adjourned and it reassembled at 6-35 p.m.]

The following motion was not put as it was covered by the foregoing decision of the Council:—

Srijut NAGENDRA NATH SEN: "That the demand of Rs. 15,000 under the head '9A.—Scheduled Taxes' be reduced by Rs. 14,900."

The motion that a sum of Rs. 15,000 be granted for expenditure under the head "9A.—Scheduled Taxes" was then put and agreed to.

XIII, 15, 15 (1), 16 and 55.—Irrigation.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 56,12,000 be granted for expenditure under the heads "15.—Irrigation," "XIII.—Irrigation—Working Expenses," "15 (1).—Other Revenue Expenditure financed from Famine Relief Grants," "16.—Construction of Irrigation, Navigation, Embankment and Drainage Works" and "55.—Construction of Irrigation, Navigation and Embankment and Drainage Works not charged to Revenue."

Works in connection with the flushing of the Bhairab river in the Meherpur subdivision of the Nadia district and the Gobra Nala in the district of Murshidabad will be practically completed this year.

The construction of the Damodar Canal which has been retarded this year, owing to delay caused by the final alignment of the canal on the most economical line through difficult country, and, consequently, in the acquisition of land, will be pushed on next year. A larger provision has therefore been made for this project in the budget estimate of 1929-30.

The Bakreswar Irrigation Scheme in the district of Birbhum, which was taken up last year, made good progress during the year. This scheme when completed will irrigate about 10,000 acres of paddy land.

This scheme, as also the Berai Canal Scheme in the district of Bankura and the Satkahonia Irrigation Scheme in Burdwan district, will provide irrigation facilities to some of the areas in Western Bengal which suffer periodically from failure of crops on account of drought. I regret that it has not been found possible to provide funds next year for the two schemes last mentioned.

Financial stringency has again stood in the way of providing for the excavation of the Alaipur Khal in Khulna, much as I would have liked to have the work started.

Provision has been made for continuing the work in connection with the construction of locks and sluices on the Lower Kumar with a view to making the river, which forms a part of the Madaripore Bhil Route, navigable throughout the year.

It is proposed to put up a Stoney's shutter in place of the present gates in the under sluice of the Midnapore Canal, with the object of preventing the silting of the canal and effecting economy in its maintenance.

Money has also been provided towards the reconstruction of the Alipore bridge over the Tolly's Nala, which has collapsed, and for the payment of contribution by Government towards the cost of the Narkeldanga, Manicktola and Belliaghata bridges, the reconstruction of which has been taken up by the Calcutta Improvement Trust and is in progress.

Provision has been made for dredging the Hetaliya Doania and the Subtermukhi rivers, which are near the western end of the Sundarbans Steamer Route and are silting up.

A number of schemes have also been prepared and sent to the Collectors concerned to take action under the Bengal Agricultural and Sanitary Improvement Act.

In conclusion I would mention that in connection with the schemes which are already engaging attention, the department has had to work under high pressure throughout the year on account of inadequate staff. Without additional staff it is not possible for the department to cope with the increased work which is involved in connection with the demand which is springing up from all parts of the province for better irrigation facilities, improvement of navigable channels and drainage of water-logged areas. The question of additional staff has, however, been held up for want of funds and it has not been found possible to provide funds for even a modified scheme next year.

Babu PROMOTHA NATH BANERJEE: I beg to move that the demand of Rs. 4,100 under the head "15B.—Irrigation, Navigation, Embankment and Drainage Works—Construction of Sectional Officer's quarters at Contai" be refused.

Sir, I do not bear any grudge towards the Sectional Officers so that they may be deprived of living in comfortable houses, but I do not like that the interest of the people will be sacrificed for the comforts of officers. The Orissa Coast Canal for which the Sectional Officers are being maintained is in a very miserable condition. The canal near Contai is totally silted up.

Mr. Addams-Williams knows well the condition of the canal. If the canal is silted up there is no use in keeping Sectional Officers and building their quarters. In seasons when there are no rains the boats are practically dragged with thick ropes in the canal. So my suggestion is whatever saving may be made, must be spent for the improvement of the canal and should not be spent for quarters of officers. If Government gives me assurances that the condition of the canal will be improved soon I have no objection in withdrawing my motion.

CHIEF ENGINEER to GOVERNMENT (Mr. C. Addams-Williams): I rise on a point of order. The grant is in connection

with the Sectional Officer's quarters at Contai. These buildings are not chargeable to the Orissa Coast Canal at all but to embankments. What I mean to say is that the hon'ble member is out of order in talking about the Orissa Coast Canal under this head which entirely refers to embankments and not to the Orissa Coast Canal.

6-45 p.m.

Mr. PRESIDENT: What is under "15B"?

Mr. C. ADDAMS-WILLIAMS: There is a special grant in the budget for the Orissa Coast Canal. It falls under "15B," but the Contai Sectional Officer's quarters falls under the embankment head, which is altogether a different head.

Mr. PRESIDENT: I should like you to clear your point. My point is this: he is making this motion with regard to the demand of Rs. 4,100. Do you mean to say that this amount or any portion of it will not be spent for the officer's quarters at Contai?

Mr. C. ADDAMS-WILLIAMS: No, Sir. That has nothing to do with the Orissa Coast Canal. The Sectional Officer's quarters come under the embankment head. He would have been in order if he had spoken on the Orissa Coast Canal in connection with the next motion.

Mr. PRESIDENT: I think he intended to take up both his motions and make one speech, because most probably he prepared one speech for both.

Babu PROMOTHA NATH BANERJEE: I have already expressed my views with regard to both the motions and I formally move the following motion which stands in my name:—

That the demand of Rs. 2,000 under the head "15B.—Irrigation, Navigation, Embankment and Drainage works—Construction of Sectional Officer's quarters at Bhaitgarh (extensions and improvement of Orissa Coast Canal)" be refused.

Mr. PRESIDENT: I should like to point out that when the mover of an amendment has actually moved it, and there are no other speakers, it is necessary that members of Government should avail themselves of that opportunity to reply by getting up at once. I am not supposed to call on them to speak.

Mr. C. ADDAMS-WILLIAMS: Sir, the question of the silting up of the Orissa Coast Canal has been troubling us for the last two or three years. We have not yet been able to find funds for silt clearance in this portion of the canal near Contai, because money has been required for other works, such as the repair of the Bhaitgar lock and silt clearance elsewhere, in the canal. Provision, however, has been made under the Orissa Coast Canal next year, and this work will, therefore, be carried out in the next season. I oppose these motions.

The motions of Babu Promotha Nath Banerjee were then, by leave of the Council, withdrawn.

Babu JOGINDRA CHANDRA CHAKRAVARTI: Mr. President, Sir, I beg to move that the demand of Rs. 12,62,000 under the head "15.—Irrigation" be reduced by Rs. 100. The object of placing this motion before the House has already been indicated by me, and that object is to draw the attention of Government as well as the attention of the House to the condition of the rivers and the river system in Bengal. The budget does not give us any indication whether the Government is at all anxious to provide any remedy for the dying and dead rivers in Bengal. It will be my business more particularly to draw the attention of the House to the rivers in north Bengal, the part of the province from which I come. Sir, looking at the budget figures, we find at pages 15 and 16 of this red book the details of the working expenses, and when we go into these details, we find that the working expenses are meant to cover the expenses required for the purposes of some bridges and for repairs and construction of quarters. Coming to the irrigation canals we find that some expenditure has been budgeted for the Midnapore Canal, the Hijli Tidal Canal and the Calcutta and Eastern Canals. Then comes the expenditure for the dredgers. That finishes all that is required so far as works of the Irrigation Department are concerned. I do not know what provision the Irrigation Department has actually made with regard to the drainage works, mention of which has been made at page 13 of this book, in these words, "drainage works under which are comprised all projects for the relief of water-logging not directly connected with any particular irrigation system, whether for agricultural or anti-malarial purposes, or for both." I searched in vain for finding out if any provision has been made for any drainage work for purposes mentioned at page 13 of this book. I find no provision made any where for the purpose. This matter, namely, that the dying rivers in Bengal should be revived by all means, has been discussed on the floor of this House times without number. We are all aware of that well-known expression that Bengal is a "*Nadi Matrika Desh*," an expression which is very significant, and when these rivers are allowed to die out, we can very easily realise the manner in which the Government of this country is being carried on, so far as the saving of human lives are concerned. I do not think

it is necessary for me to mention to-day at great length about the connection existing between agriculture and malaria on one side and the rivers and water channels on the other in Bengal. That is a subject which has been elaborately dealt with by Dr. Bentley in his admirable book which is public property now. The manner in which the recommendations of responsible officers of Government are brushed aside with regard to these matters shows that Government are not at all anxious to resuscitate these rivers and restore the health and wealth of Bengal. With regard to the condition of things in North Bengal, I would particularly mention two rivers to-day, although there are many other rivers, as it will take a long time if I were to mention the condition of all of them. One is the river Atrai, passing through the districts of Dinajpur and Rajshahi, and the other is the river Karatoya. At one time these two were very important rivers and very flourishing, and the localities through which they passed were also very flourishing and prosperous. Now these places have been reduced to lamentable conditions. These are matters which are unfortunately not being looked into by the Government of Bengal, and my object in bringing forward this motion is that we want some definite move on the part of Government to show that they really intend to revive these rivers and water channels, which are dying and many of which are dead, for the purpose of irrigating the fields and supplying drinking water to the villages. I may mention one particular matter, and that is the famine which took place last year in the Balurghat subdivision in my district. This place—at any rate a portion of it—was visited by famine last year. There is the river Atrai passing through that place—a river which as I said, was at one time in a very flourishing condition. This river is now dying, and when famine broke out there, Government took steps for relieving distress by starting relief works and so on; but if substantial and permanent steps were taken in the shape of reviving these rivers, then a real improvement could have been made so far as the prosperity of the agricultural people was concerned, and famines and scarcities would have been rare in these places. I do not think I need take up the time of the House any longer, but this is a matter which I would like to place before the House with all the emphasis that I command, and I want to draw the attention of Government to this important subject, which is intimately connected with the welfare of the people of this country, namely, the reclamation of the dying rivers and water channels in Bengal.

Adjournment.

The Council was then adjourned till 3 p.m., on Wednesday, the 20th March, 1929, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Wednesday, the 20th March, 1929, at 3 p.m.

Present:

The Hon'ble the President (the Hon'ble Raja MANMATHA NATH RAY CHAUDHURI, of Santosh), in the Chair, the four Hon'ble Members of the Executive Council, and 108 nominated and elected members.

Oath.

The following member made an oath of his allegiance to the Crown:—

Mr. H. J. TWYNAM, I.C.S.

Starred Question

(to which oral answer was given).

Granting of a licence for a country spirit shop at No. 3, Bow Bazar Street.

*92. **Mr. S. C. MUKERJI:** (*a*) Will the Hon'ble Member in charge of the Department of Agriculture and Industries (Excise), be pleased to state whether it is a fact that a licence for a country spirit shop at No. 3, Bow Bazar Street, Calcutta, has been granted to one Gopi Nath Mondal of No. 32/1, Mondal Street?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state whether the said licence has been granted under his orders or under the orders of any of his subordinates?

(*c*) Had Babu Tarakeswar Bhattacharjya, Officiating Collector of Excise, any hand in the granting of the said licence?

(*d*) Is the Hon'ble Member aware that the said Gopi Nath Mondal took the said licence ostensibly in his own name but really in partnership with Sailendra Nath Chakravarti of the vernacular paper *Vate Ranga*?

(*e*) Is it a fact that the said vernacular paper *Vote Ranga* was until recently engaged in a propaganda against the Hon'ble Member and against the policy of the Excise Department in the matter of granting licences?

(*f*) Is it a fact that the said propaganda was carried on on the lines indicated by Babu Jitendralal Bannerjee, M.L.C., in his speech in the Bengal Legislative Council on the 13th March, 1928?

(*g*) Is it a fact that one Nakur Chandra Sarkar of No. 79, Pathuriaghatta Street, is the financier of the said shop at No. 3, Bow Bazar Street?

MEMBER in charge of DEPARTMENT of AGRICULTURE and INDUSTRIES (EXCISE) (the Hon'ble Mr. A. Marr): (*a*) Yes, in equal share with Babu Sailendra Nath Chakravarti.

(*b*) The licence was granted by the Collector of Calcutta.

(*c*) The order granting the licence was made by the permanent Collector and was carried out by the Officiating Collector during the absence of the former on leave.

(*d*) The licence was granted jointly to Babu Gopi Nath Mondal and Babu Sailendra Nath Chakravarti.

(*e*) Not so far as Government are aware.

(*f*) Does not arise.

(*g*) Government have no information.

I may add that, in his petition and in all the papers connected with this case, Gopi Nath Mondal has given his address as No. 117, Maniktolla Street, and not as No. 32/1, Mondal Street.

Unstarred Questions

(answers to which were laid on the table).

Legislative Department.

64. Babu JATINDRA NATH CHAKRABURTTY: Will the Hon'ble Member in charge of the Legislative Department be pleased to lay on the table a statement showing—

(*i*) the present incumbents of (*a*) the gazetted posts, (*b*) ministerial posts, and (*c*) non-ministerial posts of the Bengal Legislative Department;

(*ii*) the details of duties they have to perform; and

(*iii*) the pay they draw at present in their respective time-scale grade?

MEMBER in charge of LEGISLATIVE DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): A statement giving the information asked for is laid on the library table.

Babu JITENDRALAL BANNERJEE: On a point of order, Sir. May I point out that I have consulted the statement which is stated to have been laid on the library table; that statement does not give the specific duties of the gazetted officers?

Mr. PRESIDENT: I have pointed out on several occasions that it is not possible for me to help you in a matter like this. You have to accept the answers as given—that is the parliamentary practice.

Babu JITENDRALAL BANNERJEE: Mr. President, what I should like to know is whether the Hon'ble Member is himself aware of the answers that are given in his name.

Mr. PRESIDENT: You can put supplementary questions to obtain the information you want.

Babu JITENDRALAL BANNERJEE: Will the Hon'ble Member in charge of the Legislative Department be pleased to state whether he is aware of the contents of the statement that has been laid on the library table?

The Hon'ble Sir PROVASH CHUNDER MITTER: I am not aware of the contents of the statement, though I am aware of the nature of the duties of the officers.

Babu JITENDRALAL BANNERJEE: May I ask whether it is or is not a fact that the specific duties of the gazetted officers have not been mentioned in the statement, though in the reply it is alleged to have been?

The Hon'ble Sir PROVASH CHUNDER MITTER: It is alleged that the specific duties of the gazetted officers have been given in the statement. I take my friend's words that such duties have not been mentioned. If he wants to know the specific duties of the gazetted officers, I can give them to him generally.

Babu JITENDRALAL BANNERJEE: That is the question.

The Hon'ble Sir PROVASH CHUNDER MITTER: It is not possible to give the specific duties of the gazetted officers in detail, but it is possible to give a general idea of their duties. The Legislative Secretary deals with legislative matters. He is also the head of the

department. The First Assistant Secretary also deals with legislative matters and assists the Secretary in the drafting of Bills. The Second Assistant Secretary is primarily concerned with the framing of bye-laws, notifications, etc. The Legal Assistant helps the Legislative Secretary and the First Assistant Secretary in their work. The Registrar is in charge of the Legislative Department, and is primarily concerned with the work of the Legislative Department as well as of the Legislative Council.

Employees of Wards and Government Estates.

65. Babu AKHIL CHANDRA DATTA: Will the Hon'ble Member in charge of the Department of Revenue (Land Revenue) be pleased to lay on the table a statement showing the present minimum pay of clerks, muharrirs and peons—

(*i*) in the Wards Estates;

(*ii*) in Government; and

(*iii*) in quasi-Government offices?

MEMBER in charge of DEPARTMENT of REVENUE (LAND REVENUE) (the Hon'ble Sir Provash Chunder Mitter): The necessary statement is laid on the table.

Statement referred to in the reply to unstarred question No. 65, showing the present minimum pay of clerks, muharrirs and peons.

(*i*) In the Wards Estates—Clerk, Rs. 20, tahsil muharrir, Rs. 10, and tahsil peon, Rs. 5.

(*ii*) In Government offices—The information will be found in the Ministerial Officers Salaries Committee's Report, 1920-21, Volume I, a copy of which is laid on the library table.

(*iii*) In quasi-Government offices—It is not clear what the expression "quasi-Government" means.

Comilla Victoria College.

66. Babu SASI SEKHAR BASU: (*a*) Will the Hon'ble Member in charge of the Department of Education be pleased to state whether it is a fact that there is not a single representative of the teaching staff, barring the Principal, either elected or nominated, in the governing body of the Comilla Victoria College?

(*b*) If so, what steps do the Government propose to take in the matter?

MEMBER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. A. Marr): (*a*) Yes.

(*b*) As the College is affiliated to the University, and as Government have received no information that the University consider the constitution of the governing body to be defective, it is not proposed to take any action.

DEMANDS FOR GRANTS.

XIII, 15, 15 (1), 16 and 55.—Irrigation.

Mr. PRESIDENT: We will now resume the discussion on motion No. 126.

Srijut JOGENDRA NATH MOITRA: Sir, I stand to give my emphatic support to the motion of my revered friend, Srijut Jogindra Chandra Chakravarti. The drainage and irrigation work of North Bengal has all along been ignored. My hon'ble friend has mentioned the names of the rivers Atrai and Karatoya which are very important. I will mention the name of another river which is of great importance too, I mean the river Boral, the proposal for its drainage has been before the Government for a long time.

3-15 p.m.

Sir, this river Boral was once a very important and flourishing river. It had its source in the Padma near Sardah. It passes through the districts of Rajshahi and Pabna and merges itself in the river Jumna (Brahmaputra). Many prosperous villages had sprung up on its sides. Some of them are of historical importance. It flushed thousands of acres of land and carried surplus waters through its deep channel, thereby contributing to the fertility of the land and ensuring the annual abundant growth of crops. The river also supplied very good drinking water throughout the year and considerably improved the health of the locality. Its active flow ensured the thriving of commerce and industries. Sir, this is by no means an exaggerated story. There are still a few old men living who can testify to this. But since the construction of the railway bridge over it, and the piling of stone boulders on the bed to deaden its current, the river is getting silted up every year, so much so that it does not now get flushed even when the water reaches high flood level, not to speak of its being active throughout the year. This river has bifurcated near Nandakuja, the new stream taking the name of the village Nandakuja. The original channel has practically dried up. The people of Chatmohar, Haripur and other

important places on both its sides, are in great distress. To crown their miseries water-hyacinth has covered the stagnant water with their thick and prolific growth rendering water unfit for human consumption. The water route remains always blocked up making the places unapproachable.

Sir, you can now easily visualise the dismal picture of misery caused by the silting up of this very important water channel. Hundreds of villages have been depopulated, thousands have died of malaria, kala-azar and other preventible diseases, hundreds of thousands of acres have been laid into waste and unproductive lands.

Why should people suffer like this when they are maintaining an expensive department like this. No irrigation work worth the name has been undertaken so far by this department in the Rajshahi Division. Is it because they do not find sufficient ground for undertaking such work? There are several water-logged *bil* areas which require draining out. Nothing has been done in this direction.

Now, turn to the drainage of river Boral. By the order of the Government, Dr. Bentley, Director of Public Health, and Mr. Finlow, Director of Agriculture, visited the area. Both of them very strongly recommended the irrigation of the river Boral. They saw the distress of the people with their own eyes and they suggested immediate measures. But nearly two long years have rolled by, the department has done nothing! There are so many dredgers lying without much work, they are being maintained on an immense loss of public money, why not direct the services of a dredger for a month every year if that would remove the varied wants of such a waste area? Are the Government prepared to do this? I charge the department with grossest misuse of public money. The guiding heads of the department are unfit and deserve condemnation.

Babu JATINDRA NATH CHAKRABURTTY: Mr. President, Sir, the Government of Bengal may go on even if the Irrigation Department is totally abolished. The department must justify its existence by producing the result which is the natural outcome of irrigation, when properly conducted. To every person it will be apparent that leaving aside the interest for the capital raised on loan, and which I will discuss in its proper place, a department which can secure only 1·5 per cent., or utmost 2·5 of the total expenditure and which has in its scope such big names and big projects as Irrigation, Navigation, Embankment and Drainage works, under which are comprised all projects for the relief of water-logging not directly connected with any particular irrigation system, etc. Big works, indeed, require big sums and big brains, for the proper working of works with such high-sounding names.

Before I enter upon the discussion of the savings by this department, I would like to point out a few relevant facts for the consideration of the members of this House. Now what do we find from the revenue accounts for the past few years? The financial position of the province should be of the greatest concern to every well-wisher of the province. Under existing arrangements, the sources of revenue which can be easily expanded with the prosperity of the people, such as Customs, Taxes on Income, Salt, Railways, Posts and Telegraphs, etc., are appropriated or misappropriated by the Government of India, and we remain satisfied with the idea that we contribute no less than 45 per cent. of the total income of the Imperial Government, which comes to very near sixty crores of rupees a year. After remitting this sum under circumstances, a reference to which shall be outside the jurisdiction of this Council, but which can certainly be termed unjust, we have to deal with only one-sixth of that amount. In Bengal, the remaining sources of revenue show no power of expansion. Expenditure on many important branches of Government has been restricted and the progress made is not worth mentioning. The accumulated balances formed by retrenchment in past years somewhat met the situation, but the depletion will shortly be complete, and normal revenue is not equal to normal expenditure. But what is the way to increase the revenue? Suppose we fail to force the hands of the Government of India to remit at least the export duty on jute, which is nearly four crores of rupees a year, and the taxes on income about eight crores of rupees, much more than what rich Bombay pays, not to speak of other provinces? The land is becoming waste, the production is falling, malaria is spreading, and the health of the province is going from bad to worse. Experts have declared, and declared unanimously, that the panacea for all these evils lie in improved irrigation. Agriculture awaits improvement but that is impossible without proper irrigation. Health cannot improve without an adequate drainage system; the wealth of the people cannot increase without agriculture, trade and commerce. Trade and commerce Bengal has practically nil, except that her export comprises chiefly raw materials such as jute, raw and manufactured, rice, grains, seeds, etc., which form about 65 per cent. of the total export. But to check further deterioration of the export trade of Bengal, irrigation is the only weapon. Neglect of the irrigation channels and the dearth of the rich, red water of the rivers have brought disaster and ruin to Bengal. It will not only fill the pockets of the poor cultivators, it will bring substance to the coffers of the State. What irrigation can do for Bengal has been stated by authorities like Sir Hanbury Brown, Sir William Willcocks, Dr. Bentley and others, who know something of irrigation and its potentialities.

Now I come to the working of the Irrigation Department of the Government of Bengal. The arrangement is anything but satisfactory

and the results are less so. The sum that is available for expenditure from direct revenue, being very small, small works are taken in hand such as repairing of bridges and sluices here and there, construction and reconstruction of a jetty or a clerk's quarters, etc. This is met from ordinary revenue and no capital account is kept for this item. But there is the other head, the major head " 55 " in the Budget, for which capital account is kept and funds are found from Famine Insurance Funds, from loans, from the Government of India and from other sources. It is intended to include only expenditure incurred outside revenue account.

This is a major head and requires major projects for handling. In my opinion, this is the greatest danger-spot in the whole administration. Loans are raised without taking into consideration the *pros* and *cons* of a project, without going deeper into the actual state of things and this has wrought disaster in finance. Such loans raised have borne little fruit, and the fruit that we can taste is the fruit of a heavy interest amounting to an annual sum of 20·38 lakhs of rupees, one and a half times more than the expenditure on establishment work, extensions and improvements, etc. It has practically become nobody's business to look into the affairs of this portion of the work.

We can take into consideration the instance of the Grand Trunk Canal which project has been fortunately or unfortunately abandoned. This project, when first made public in 1913, was hailed with joy and delight by parties interested and we were told at the time that it would be a wonder in Bengal irrigation.

The whole work was estimated at Rs. 2,10,15,000, and when it was abandoned finally by the Government we learnt that about Rs. 70 lakhs or 33 per cent. of the total cost had already been expended. But may we ask what part of the total work was actually done? This was one of the few " productive " works of the Government, and the business has been closed down after Bengal finance had been burdened with about Rs. 3 lakhs of annual interest. Such works are taken in hand from funds not charged to revenue. An unwary reader may remain satisfied with the idea that for the capital expenditure Bengal has got nothing to do, it comes from the India Government for the maintenance of which we pay so much. But the fact is really the contrary.

Who is responsible for this huge waste of public money?

We know that the idea originated with Mr. O. C. Lees in 1913, but who the gentleman was who was entrusted with its execution? Government ought to institute an open enquiry into the workings of the Irrigation Department, that such unnecessary waste might be stopped.

I shall close the discussion on this subject with one other item and that is the sister project of a grand productive scheme of the Damodar

Canal. Who knows what is in the womb of future and it might not also prove another glorious repetition of the Grand Trunk Canal project. Borrowings on that account have been stopped, but it is merrily going on in respect of the Damodar Canal project and no less than Rs. 18 lakhs were estimated as the probable expenditure for the financial year 1928-29. Preliminary arrangements for taking the work in hand were completed in 1925-26. Some further work was done in 1926-27, and 1927-28 provided a sum of Rs. 17 lakhs which was subsequently revised at Rs. 9 lakhs. We have no objection to big schemes being taken up, but we must have some returns for our money. A suspicion lurks in the minds of many for the very simple reason that as soon as grants decreased on the Grand Trunk Canal project, they increased proportionately on another head or rather two heads, *viz.*, Damodar Canal project and the Bakreswar project. I wish every success to the officers in charge of these schemes. But I want to sound a note of warning at this stage. Irrigation minus sanitation, minus health, minus agriculture and minus drainage is a dangerous thing. I myself am not an expert in these matters, but I must state before the House what Sir William Willcocks has said with regard to the Damodar Canal. So far as I remember his announcement is to the effect that handling of Damodar requires great tact as in his opinion the Damodar has at present got five banks in all, which like satanic chains bind the Damodar, dooming the once healthy and prosperous tract between it and Hooghly to malaria and comparative poverty. I hope that care should be taken to mitigate these evils so that it might not become necessary to pronounce a curse on a project which is meant to increase wealth and improve health.

These are big projects which require great care for its execution. We know from experience that works declared to be " productive " have proved in later years to be unproductive and in the dictionary of the Government of Bengal the two terms are inter-changeable, the former passing on into the latter, and the latter not to the former. Grand Trunk Canal was expected to be a productive work. It was grand in its inception, grand in its execution and grand in its termination. We all know that it was nothing but the proverbial mountain in labour. The productivity of the project ends with the purchase of a dredger named *Ronaldshay* which requires repairs very often. Damodar Canal project, though still in the embryonic stage, is known to be productive. But the two other great projects—major works in their own time—declared to be productive, one Irrigation and the other Navigation, on which Rs. 84 lakhs and Rs. 25 lakhs were respectively spent, have been branded as unproductive. I mean the Midnapore Canal and the Hijli Tidal Canal. Then the only productive work, now in the contemplation of the Government is the Damodar Canal project. In the district of Rangpur there is a vast sheet of stagnant

water known by the name of Tograi Bhil within the jurisdiction of the Lalmonirhat police-station covering several thousands of bighas of land. This bhil requires immediate reclamation and irrigation: both from a sanitary as well as an economic point of view.

If this bhil be properly reclaimed and irrigated the health of the people of the surrounding villages, aggregating more than one hundred, will be considerably improved and a vast tract of land will be fit for cultivation. The matter was represented to the Government several times, and the Engineer of the Irrigation Department of the Rajshahi Division paid only a flying-visit to the locality in the last year, but nothing has been done as yet regarding its reclamation and irrigation.

Then if we come to the actual working of the department, we are surprised by the incompetence of the authorities in carrying out the works for which they can snatch only a paltry amount.

To the major head " XIII.—Irrigation, Navigation, Embankment and Drainage works " for which capital accounts are kept was allotted a sum of Rs. 15,57,000 of which only Rs. 12,69,000 could be spent. Of this last amount 52 per cent. represents the cost of establishment. But under the headings " Extensions " and " Improvements " in one case 55 per cent. and in the other case 69·5 per cent. of the amount remained undisposed.

Under major head " 15.—Other revenue expenditure financed from ordinary Revenue (Reserved) " 52 per cent. of the grant on " Works " could not be utilised while establishment charges exceeded the total grant by 14 per cent. In this way every head under Irrigation major heads " XIII ", " 15 ", " 16 " and " 55 " showed a large balance under " Works, Improvements, and Extensions " with the exception of productive works, etc., in the Appropriation accounts. Repairs to dredger *Ronaldshay* was carried out with an excess amount of Rs. 23,338. But of this dredger *Ronaldshay*, the less said the better. But even in this case, *i.e.*, major head " 55 " under item " B.—Navigation, Embankment and Drainage Works " out of a total grant of Rs. 2,49,000, Rs. 2,09,000, *i.e.*, over 83 per cent., remained undisposed under sub-heading " Works."

On the whole 20 per cent. of the total expenditure was appropriated to the total revenue account of the Government.

I think one word in regard to the other nation-building departments will not be out of place where original grants could not be utilised and there was a return of 16 per cent. of the Health Department grants, Medical 7·7, Agriculture 4·5, and Industries 12. Agriculture got 1·8 per cent. and Industries 1·02 per cent. of the total expenditure.

One may say that because of paucity of work these sums could not be utilised. But the Administration Report says otherwise. While grants on "Embankment, works, etc.," were held in banks, there were no less than five floods in the river Cossye (*vide* Administration Report, 1926-27, pages 214-215) which caused four breaches in the Cossye embankments resulting in *considerable* damage to crops in the Panskura subdivision. In the Contai and Tamluk subdivisions, the Kalighai river came down in high flood. . . . . the embankments on both sides were severely breached and large areas on both banks went under deep water *causing severe distress.*

Round Ghatal in the Midnapore district there were 12 breaches in Dussaspur circuit, one in Darkeswar Right Embankment and another in Sheikhpur circuit.

I think the above need no comments at my hands. They tell their own tale. While the establishment was busy making out monthly bills of salaries, money was awaiting proper disposal, banks and embankments breached and caused severe distress to people and considerable damage to crops.

Nor is this all. The working of the department shows a serious loss of revenue, higher expenditure on establishment charges and irrigation of much smaller area than previous years: it has gone down of the figures of the average of triennium ending with March, 1926.

Without going into further detail, I give here the figures without making any comment. Midnapore Canal irrigated in previous years 74,781 acres, in 1926-27 it irrigated 74,032 acres, less by 700 acres. Receipts previously were Rs. 57,025 and this year it is Rs. 49,451, *i.e.*, less by Rs. 7,500.

[Here the member having reached his time-limit resumed his seat.]

Babu SURENDRA NATH BISWAS: Mr. President, Sir, when we look at this head of the budget, we doubt very much whether we are living under any Government at all. Of course, we have nothing to complain against this sort of treatment, for we are treated by our alien rulers in the same manner as step-sons are treated by their step-mothers.

Sir, during the three years that I have been a member of this Council I have been urging every year on the Hon'ble Member in charge of Irrigation Department the removal of the many grievances regarding irrigation in the district of Faridpur. Some of these grievances are very urgent, but to my utter disappointment none of these grievances has been removed up till now. Sir, every year we are told that much has been done for improving the Lower Kumar river and nothing more can be done. From the papers before me I find that much has been done and much is being done for the improvement of the Lower Kumar river only. Sir, the river Kumar is about 40 miles

long, of which the Lower Kumar is about 15 miles long. This Lower Kumar is the only portion of the Kumar river which connects the Bhil Route Canal with the river Arialkhan. Government are very anxious to improve the Lower Kumar river and to excavate the Bhil Route. They tell the people that their object in doing these things is to improve vast tracts of *bhil* lands in the district of Faridpur. But I submit, Sir, that the object of Government in these two matters is not so much their desire to reclaim *bhil* lands as their anxiety to keep a water route clear in the interests of the British steamer companies. If it was otherwise why were not the Government anxious to improve the Upper Kumar river also? Only the other day—I think it was three days ago—the Hon'ble Member in charge of the Irrigation Department in answer to a question regarding the Upper Kumar told us that Government did not contemplate of making any improvement on that river. I have repeatedly asked the Hon'ble Member in this Council to have steps taken for the improvement of the Upper Kumar, which forms about three-fourths of the river Kumar and which is getting silted up to the disastrous ruin of trade, commerce, health and agricultural interests of millions of the people of Faridpur yet, in spite of my repeated requests, it is the Lower Kumar alone which is being attended to.

3-30 p.m.

Sir, there are two dredgers lying in the district of Faridpur, namely, *Ronaldshay* and *Cowley*. I find *Ronaldshay* stopping at Haridaspur in the subdivision of Gopalganj for these three years without doing any work and something like a sum of Rs. 16,000 is being spent every year for its establishment. I find from the answer given by the Hon'ble Member to a question of Babu Naliniranjan Sarker that *Cowley* has done dredging work thrice within the course of the last three years and that dredging work related to Lower Kumar alone. I will quote the words mentioned in the answer: "from 1st to 17th January, 1928, the *Cowley* dredged the Charmugria entrance to the Lower Kumar river, from 17th to 24th November 1927, the *Cowley* dredged the Pearpur Reach, Lower Kumar river."

It will be surprising to the members of the House when I say that the Charmugria entrance to the Lower Kumar is just the same as the Pearpur Reach because Pearpur is just on the opposite side of Charmugria. Then I find that from 1st to 17th January, 1928, the *Cowley* dredged the Lower Kumar river near Charmugria; that is also the same place. So I say that Government is concentrating their attention to Lower Kumar alone and not to other parts of this river although the aforesaid dredgers are lying idle. As to other works suggested by myself and the people of my district relating to irrigation and embankment the Government have taken the same attitude.

I shall mention one suggestion which was regarding an embankment and which I wanted the Hon'ble Member to enquire into and execute. That embankment related to a portion of the northern bank of the Bhil Route between Jalilpar and Satpar. A petition signed by about 1,000 villagers, inhabitants of about 50 villages, was submitted to Government alleging that about 10,000 bighas of land used to be inundated every year in the month of April by the untimely inflow of water from the Bhil Route Canal into the *bhil*. I suggested that a short embankment not more than two miles in length might be constructed to protect no less than 10,000 bighas of land on which thousands of villagers depended for their food. But I was told by the Hon'ble Member in answer to a question which I put in this Council that Government did much by excavating the Bhil Route and they could not proceed further. Thus they totally ignored a most legitimate grievance of a very large number of the agriculturists of my district.

I shall make mention of another instance of culpable indifference on the part of the Government. A portion of the river Madhumati broke open its eastern bank near Tarail and the flow of water into the interior was so very heavy every year that about 10,000 acres of land were washed away and thus inundated for about six years consecutively. The local people applied to Government for redress but no redress was made. Then they took the matter in their own hands and constructed an embankment themselves at a cost of about Rs. 10,000 and incurred some debt for the work which amounted to about Rs. 3,000 if I remember aright. They applied to the Government to pay off the debt but unfortunately Government did not do anything. They then approached the District Magistrate who out of the funds which he had in his hand for local improvement paid Rs. 1,000. Thereafter I myself personally and in writing, appealed to the Hon'ble Member-in-charge to take up the maintenance of the embankment which was constructed at so great a cost and on which so much labour was spent. But to my regret I was told by the Hon'ble Member in answer to a question of mine in that respect that Government were not disposed to take up its maintenance. If Government are not prepared to give their attention to any other work in my district except the improvement of the Lower Kumar I can say with justification that the people of Faridpur do not live under any Government at all, that the Government that is ruling there is the Government of foreigners unconcerned with the interests of the local people.

Dr. KUMUD SANKAR RAY: Is it in order for the Hon'ble Member-in-charge to go to sleep when grievances regarding the Faridpur district are being discussed?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: I was listening to every word that fell from the hon'ble member.

Mr. PRESIDENT: You are mistaken, Dr. Ray, the Hon'ble Member, it now appears, was wide awake.

Babu SURENDRA NATH BISWAS: Often times small schemes for irrigation and reclamation of *bhil* lands have been placed before Government. I should tell the House that the district of Faridpur abounds with much more *bhil* lands with locked-up water than any other district. Schemes for irrigation of *bhil* tracts are therefore often submitted by the people of my district to Government for consideration but I am sorry to inform the members of this House that they are either referred to the District Board or treated with indifference. When the people approach the District Board, the District Board says that it is not entitled to spend a single farthing on irrigation; and when the people approach the Government with small schemes, Government say that they are not disposed to take them up because they are small and that they should go to District Boards for that. And when any bigger schemes are submitted to Government they say that they have no funds. Rupees 56,12,000 of the people's money is being spent on irrigation but how much to the benefit of the people? I represent the small district of Faridpur; there are other gentlemen who represent other districts and I challenge any member to say that any substantial work of irrigation has been done in his district. If that has not been done, we can rightly say that this department deserves every condemnation from all the members of this House irrespective of caste or creed.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: Babu Jogindra Chandra Chakravarti, the mover of this motion, has drawn attention to the absence of provision in the budget for the improvement of the Bengal rivers. It is true that for original work the provision is small, being confined to the completion of the Gobra Nala and Bhairab Scheme in the Murshidabad and Nadia districts.

Schemes for river improvements would not, however, necessarily appear on the Irrigation Budget. Works done under Act VI of 1920 would be entered under either Public Health or Agriculture which are the administrative departments for sanitary and agricultural improvement schemes under this Act. The position of the Irrigation Department in such cases is that the department acts as Engineers

only under the Act. Having completed a project and having submitted it to the civil officers for action, the department has nothing further to do with the case except in an advisory capacity until the project has received the sanction of Government and money has been found to finance it.

I am aware that the Boral is a river which has deteriorated. The reason does not appear to be the railway bridge but the opening of the Nandakuja which has diverted the water. The Boral river case is one which is being looked into, but the information collected to date tends to show that the re-excavation of the river may be a waste of money. However, the enquiry must proceed before a definite conclusion can be come to.

In the case of river problems of the Rangpur district, I may say that in reality this district lies at present outside the activities of the department as we have not the staff to post an officer there at present.

River Madhumati has recently been declared a public watercourse under the Canal Act. No action could be taken in connection with the Tarail embankment prior to this declaration.

3-45 p.m.

Now, Sir, among other cases, mention has been made of the Karatoya and Atrai rivers in Northern Bengal. I do not propose to discuss in detail other cases which have been mentioned, because my remarks in connection with the two rivers I have named apply to all.

In a deltaic country like Bengal perpetual changes must be going on all the time in the river system. The inevitable result is that as time progresses some rivers die while others come to life. It is nature's method of building up the land. The cases of the Karatoya and Atrai are cases in point: the great change in the Tista in 1787 deprived the Atrai of its supply and doubtless had some effect in causing the death of the Karatoya. Were it possible to divert the Tista back to its old course through the Atrai, we should be faced with violent protests from those who now live on the banks of the former river. It may be that it is possible to effect some minor improvement to the Atrai and Karatoya. I am not able to say whether this can be done or not, but I will call for a report and if the mover of this motion can supply me with specific instances of improvements he has in mind I shall be grateful to him. The department has examined a large number of cases of rivers which are in a moribund state. One feature stands out above all others and that is that, due to changes which have taken place in the system, the fall

in many of these old rivers is too small to enable them to carry silt-laden water: it would, therefore, be a waste of money to excavate such channels, which in some cases, would silt up again within a few months: there are, however, other cases, in which, due to the changes I have mentioned, it is possible to introduce water into the old beds with useful effect. Two such cases are the Gobra Nala in Murshidabad and the Bhairab in the Meherpur subdivision of the Nadia district. It will be seen that action was taken in these two cases and the works will come into operation this year. Works should not be undertaken until the position has been fully analysed. Such analysis should not be based on the observations of a few years only. Changes are, as I have said, continually going on and it is necessary to attempt to forecast what these changes will lead to in the future: let me give a specific instance to explain what I mean: I take the case of the Sitalakya Khal, which leaves the Buriganga below Dacca and flows into the Lakya at Narayanganj. Some years ago we were asked to dredge this khal: and examination showed that there were bad bars in the khal. A further examination a little later showed that these bars had improved. We, therefore, decided to leave matters alone for the time being. That we were correct is shown by subsequent events. In the flood season, not only does the whole of the water from the Buriganga flow down this khal, in place of flowing out into the Dhaleswari, but there has been a reversal of the current which has caused a portion of the Dhaleswari water to enter the lower reach of the Buriganga, and which now also flows down the Sitalakya Khal which has become a substantial river. This case is one which shows that it is necessary to ascertain not only what is occuring to-day but, if possible, what will be the position some years hence.

I am aware that there is dissatisfaction with the progress made in these matters. The reasons for this are that the staff is too inadequate to deal with the immense problems which present themselves; that it is necessary above all things to proceed cautiously, and that it is also necessary to see that schemes are not foisted on the country which we know will not work.

It is not correct to suppose that nothing is being done: outside the question of the conservation of the rivers, the department has a large amount of work to do on the side of irrigation proper and flood protection, but in so far as it can do so it is working at these problems of river conservancy, and I may say that there are very few cases which have been brought to our notice which have not been or are not being examined. Sir, under present conditions, I do not see that we can do more than we are doing.

I oppose the motion.

The motion of Babu Jogindra Chandra Chakravarti was then put and a division taken with the following result:—

AYES.

Acharjya Chaudhuri, Maharaja Shashi Kanta.
Afzal, Maulvi Syed Muhammad.
Ahamad, Maulvi Asimuddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Atiquilah, Mr. Syed Md.
Bagchi, Babu Remes Chandra.
Banerjea, Dr. Pramathanath.
Banerjee, Babu Promotha Nath.
Bannerjee, Babu Jitendralal.
Basu, Babu Sasi Sekhar.
Basu, Mr. P. C.
Biswas, Babu Surendra Nath.
Bose, Babu Bejoy Krishna.
Bose, Mr. Subhas Chandra.
Chakrahurtty, Babu Jatindra Nath.
Chakravarti, Babu Jogindra Chandra.
Chatterjee, Srijut Bijay Kumar.
Chaudhuri, Maulvi Nurul Huq.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dutt, Babu Saral Kumar.
Ganguly, Babu Khagendra Nath.
Ghose, Babu Amarendra Nath.
Ghosh Maulik, Mr. Satyendra Chandra.
Gupta, Mr. Jogesh Chandra.
Haque, Khan Bahadur Maulvi Azizul.
Hoque, Kazi Emdadul.
Huq, Mr. A. K. Fazl-ul.
Karim, Maulvi Abdul.
Khan, Khan Sahib Maulvi Muazzam Ali.
Maiti, Babu Mahendra Nath.
Maitra, Srijut Jogendra Nath.
Mukerjea, Srijut Taraknath.
Nasker, Babu Hem Chandra.
Pal Choudhuri, Mr. Ranjit.
Poddar, Mr. Ananda Mohan.
Rahman, Maulvi Azizur.
Rahmon, Maulvi Shamsur-.
Rahman, Mr. A. F. M. Abdur-.
Rauf, Maulvi Syed Abdur.
Ray, Babu Nagendra Narayan.
Ray, Dr. Kumud Sankar.
Ray, Srijut Radha Gobinda.
Roy, Babu Manmatha Nath.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarker, Babu Naliniranjan.
Sen, Srijut Nagendra Nath.
Sen Gupta, Mr. J. M.
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur.
Suhrawardy, Mr. H. S.

NOES.

Addams-Williams, Mr. C.
Ahamad, Maulvi Kasiruddin.
Blair, Mr. J. R.
Casselis, Mr. A.
Chaudhuri, Khan Bahadur Maulvi Hafizar Rahman.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Choudhury, Maulvi Khorshed Alam.
Cohen, Mr. D. J.
Dash, Mr. A. J.
Drummond, Mr. J. G.
Forrester, Mr. J. Campbell.
Ghose, Mr. M. C.
Ghuznavi, Alhadj Sir Abdelkerim.
Gordon, Mr. A. D.
Hogg, Mr. G. P.
Hossain Nawab Musharruf, Khan Bahadur.
Hussain, Maulvi Latafat.
Jenkins, Dr. W. A.
Kasem, Maulvi Abul.
Laird, Mr. R. D.
Lamb, Mr. T.
Maguire, Mr. L. T.
Marr, the Hon'ble Mr. A.
Mitter, the Hon'ble Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. N.
Mukerji, Mr. S. C.
Ordish, Mr. J. E.
Philip, Mr. J. Y.
Prentice, Mr. W. D. R.
Rahman, Mr. A. F.
Ray Chaudhuri, Mr. K. C
Rose, Mr. C. P.
Roy, Mr. Bijay Prasad Singh.
Sarker, Rai Sahib Rebati Mohan.
Solaiman, Maulvi Muhammad.
Stapleton, Mr. H. E.
Tate, Major General Godfrey.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Twynam, Mr. H. J.
Wordsworth, Mr. W. C.

The Ayes being 53 and the Noes 41, the following motion was carried:—

"That the demand of Rs. 12,62,000 under the head '15.—Irrigation' be reduced by Rs. 100 (to draw attention to the dying and dead rivers in Bengal, especially in North Bengal)."

Mr. PRESIDENT: Before I call upon Babu Akhil Chandra Datta to move his motion, I think I had better say that in the interest of good debate and also to save time, I should like to have one discussion in regard to motions which deal with the general policy of the department under review. These are items Nos. 127, 128, 129, 130, 131, 132, 133, 135, 136, and 144. It is up to the members who have given notice of these motions either to move their amendments as their turn comes, or to support that motion of the group as may be moved first. I do not want to impose any restriction.

4 p.m.

Babu AKHIL CHANDRA DATTA: I beg to move that the demand of Rs. 12,62,000 under the head "15.—Irrigation Other revenue expenditure financed from ordinary revenue (Reserved)" be reduced by Re. 1 (to protest against the half-hearted policy of the department).

Srijut BIJAY KUMAR CHATTERJEE: I beg to move that the demand of Rs. 12,62,000 under the head "15.—Irrigation" be reduced by Re. 1 (on the ground of want of confidence in this department).

Sir, the budget of the Government of Bengal has been prepared not for the benefit of the people of this country. If we read through the pages of the budget we would be convinced of the inequity and injustice of the Government. A costly system of administration has been adopted by which only the foreign Government is benefited, but the people are ruined.

The Irrigation Department is one of the most important departments in the sense that, if the Government so desires, it can confer great benefit on the people by adopting irrigation schemes by which sufficient water can be given to the people to quench their thirst, to cultivate their lands, and to save their crops during failure of rains. But unfortunately in this unhappy land although the universal cry is water, the Government cannot find any money for providing canals and supplying water to the people. I do not want to waste the valuable time of the hon'ble members by trying to convince them of the value and usefulness of pure water for the benefit of human beings. But I can only say this, that much of the miseries of the people can be avoided if pure and sufficient water can be provided.

Sir, I represent a district where people suffer from ravages of famine very frequently and this is due to want of sufficient water. The soil of the district of Bankura is very fertile, the majority of the people are agriculturists, but there is no scheme for giving

sufficient water to the people. During summer the sufferings of the people are incalculable. Those living in Calcutta or other cities or even the people of East Bengal cannot imagine to what extent the people of Bankura or some other districts of Western Bengal suffer for want of water. Within four or five miles radius there is not a single tank, pond, or well from which people can take water. Not to speak of water for domestic purposes, people drink not water, but only filthy mud to quench their thirst during the hot weather. And the consequence is people die in numbers from cholera, small-pox, typhoid and other preventible diseases. The ladies of villages have to go to a distance of four or five miles in hot season to fetch water. And during drought the tenants cannot cultivate their soil for want of water. The people die in hundreds and thousands; famine of acute type ravages this fair land, but the people are helpless.

Sir, to my great surprise I find that nothing has been provided in this year's budget for irrigation schemes in the district of Bankura. I understand that some irrigation schemes are ready and have got the sanction and approval of the authorities. But I am told by the Hon'ble Member in charge of Irrigation that no money could be found for the adoption of these schemes. Last year, during famine, His Excellency the Governor of Bengal visited the famine stricken area of our district, and he saw with his own eyes large areas of land lying uncultivated for want of water, although there is every possibility of saving the people by excavating the important canal known as the *Suvankar Danra* founded by the famous mathematician Suvankar. Numerous rivulets run through our district and during rains a large quantity of water pass through these channels which can be utilised easily for saving the crops as well as human lives. Some schemes are also ready, I am told, for immediate action. I may mention the Suvankar Danra scheme, the Darkeswar Reservoir scheme, and the Birai Canal scheme. The Government is spending money like water on Police, on costly administration and for paying high salaries to the Europeans; but, alas! it cannot find any money for saving the lives of the poor people of this country. In the Irrigation Department, as in every other department, the major portion of the money is spent on high salaries and for cost of administration, large amount of public money is wasted on many unimportant things, but very important and urgent matters are being neglected. The *Ronaldshay* dredger can take away Rs. 50 lakhs for nothing, several lakhs of rupees are being spent on large bridges near and about Calcutta and its suburbs, the steamer routes of the European companies take away quite a large amount of public revenues, but nothing could be found for providing water to villages of Bengal. I beg to draw the particular attention of the hon'ble members of this House to the valuable remarks and suggestions of that world

famous engineer—I mean Sir William Willcocks, possibly the greatest authority on irrigation. His severe criticism of the Bengal Government's irrigation policy is a valuable document, but I am afraid that the gentleman who at present is guiding the policy of the Bengal Government—I mean Mr. Addams-Williams, is, to some extent, responsible for the present deplorable condition of this country. And as the representative of the poorest district of Bengal, I think I shall be failing in my duty if I do not give a note of warning to the Government and say, "Do not be so unsympathetic, do not be so adamantine, do not be so sinful, but a day will come when you will have to repent for your past crimes, past sins, and you will have to stand on a trial before a person who is more powerful than your bad selves."

With these words, I commend my motion to the acceptance of the House.

Babu NALINIRANJAN SARKER: Sir, I wish to support my friends' motion. My object in doing so is to draw pointed attention to the unprecedented attitude of the Irrigation Department in the matter of its policy, projects, estimates and works.

The sphynx is silent. The Irrigation Department goes one better. It is not only silent but veiled as well. Its projects are conceived and matured behind tightly drawn curtains; estimates are made with a view to mislead, ultimately to be exceeded by several hundreds per cent. and useless and costly works are undertaken, less for the purpose of irrigation than of navigation, for benefits which certainly do not accrue to the toilers of our country. Such works, again, are classified as productive. This may be very good satire but very poor consolation.

I have on numerous occasions called attention of the House to the arrogant attitude and callous unconcern of the department towards the wishes of the members of this House and I presume a climax has now been reached. A request by a member to the Hon'ble Member in charge of the department to be kind enough to furnish a copy of the reputed report on the Sundarbans Steamer Route by the Irrigation Expert of the Government of India has been treated with the silence that it does not deserve. Even the letter of request remains unacknowledged. Yet a copy of this report was sent to an outside body for obtaining a testimonial.

My intention is to criticise the policy and methods of the department and I shall therefore refrain from going into details.

The works of the department are divided into two classes the so-called "productive" and frankly "unproductive." Nobody knows what tests are applied to arrive at the conclusion as to whether a projected work is or is not productive. The classification, such as it is,

is apparently made by Mr. Addams-Williams on his own estimates unchecked and untested both as to utility and actual productive possibility. The department has arrived at such an impasse that neither the Hon'ble Member nor even the Secretary knows anything about its affairs and Mr. Addams-Williams must be present in this House to give an answer to a question by, or supply information to, a member.

The position created by this "greatest living deltaic engineer on earth" is that loans have accumulated in an irresponsible manner to the extent of Rs. 1,18,21,132 up to 1920-21. Additional loan for the dredgers in 1921-22 and 1922-23 amounted to Rs. 1,01,89,000 the total being nearly Rs. 2½ crores.

Rupees 25,59,258 have been paid out in interest up to 1926-27. The total budget estimate for interest charges in respect of works for which capital accounts are kept is Rs. 19,60,000 made up of Rs. 4,75,000 for Irrigation works and Rs. 14,85,000 for Navigation, etc., works. The figure for interest on capital expenditure on dredgers and the Damodar and Bakreswar Canals is Rs. 5,80,000. These figures, I submit, are appalling when we remember the hopeless condition of irrigation in Bengal. This money is being paid out of general revenues while we are all the time ill-fed, ill-educated and ill-provided against disease and unhealthy conditions. The strange irony is that the "productive" works in respect of which a very large amount of interest is being paid out are the two notorious canals.

The Accountant-General says: "The 'Damodar Canal' and the 'Grand Trunk Canal' have been declared as 'Productive' under 'A.—Irrigation Works' and 'B.—Navigation, etc., works' respectively." He significantly adds, "no revenue account has yet been opened for the above works." Of course, not; for even the expert is nonplussed. As regards their productivity we find that we are saddled with a burden of Rs. 19,60,000 by way of interest which will probably augment to Rs. 25 lakhs by the time the Damodar Canal is completed. The Grand Trunk Canal is supposed to be dead, but I presume it is only hibernating. Its famous 13·2 per cent. return was a myth and the Committee appointed by Government to investigate into the matter of the return of 13·2 per cent. was dismissed in a hurry presumably owing to the inconvenient nature of the enquiry made by some members even before they had time to sit comfortably in their chairs.

The Grand Trunk Canal has left us burdened with a loan of over half a crore of rupees on account of the dredger *Ronaldshay* alone—a useless dredger purchased for a project even before it was sanctioned by this House. It is interesting to learn that from 1st January, 1925, to the end of 1927 the dredger *Ronaldshay* was lying idle at

Haridaspur. The result is that we must go on paying interest, not to speak of providing funds for the repayment of the loan for years to come and the Hon'ble Member said that the loan will be repaid from provincial balances. Productive work indeed! The dredger if sold will not bring in even the value of scrap iron. And yet we are asked to grant Rs. 19,000 for this dredger including its maintenance, establishment, tools and plant, and even repairs. We have come across ever so many strange things in the silent seraglio of the Hon'ble Nawab's department that one more surprise will hardly produce even a mild shock. I understand that attempts are being made to revitalise this already dead project, this time with the help of the Government of India, and that the Irrigation expert of that Government has suddenly developed into a Navigation expert. For sheer folly and unexampled irresponsibility this project has no equal. Luckily the days of Edmund Burke and Warren Hastings are gone. For, in any other country, the projector and his helpers would have been criminally prosecuted for wanton waste of public money.

The Damodar Canal project is another white elephant in course of making. I use the expression "white elephant" as being rather familiar to Mr. Addams-Williams. The project is estimated to cost nearly 80 lakhs of rupees. What the actual cost will be nobody knows. It would be interesting to learn the volume of work completed, the rate provided for in the estimate and the actual rate obtained and the amount by which the actual cost has exceeded the estimate so far. Unfortunately the replies to my questions on this point are yet to come, for the department found it impossible, or shall I say inconvenient, to make any. These questions are natural since we are assured that in the case of the Hoorhoora Canal nearly all the estimated amount was exhausted by the time the work was a quarter, or at best a third, completed whereupon it was suddenly stopped, showing a small saving. That was a marvellous feat of engineering, projecting, executing and accounting combined of Mr. Addams-Williams, his department and his dredger.

I mentioned last year that the Damodar Canal project was conceived in the dark, launched at midnight and carried on without light being allowed to be shed on it, and all by a single man. The credulity of Government regarding the sweet words of this famous expert in the teeth of practically unanimous opinion of this House and the country at large, and the confidence they have bestowed upon him, are prodigious.

4-15 p.m.

From the traditions of this department I am not astonished to find a demand for Rs. 13,000 for 1929-30 being a portion of the Rs. 38,842, for a palace for the Executive Engineer at Burdwan, a

piece of work necessitated by the Damodar Canal project. Whatever Machiavellian explanation might be invented for its justification, the beauty is that this expenditure is charged to ordinary revenues and not to the Damodar Canal project itself. Such cooking is only possible in the zenana of the Irrigation Department and it is almost incredible that in spite of this culinary process the actual cost of the dishes served by Mr. Addams-Williams often exceeds the estimates by enormous figures. There are numerous examples of activities of the department that no condemnation can sufficiently denounce.

I have already pointed out that the department practically exists not for irrigation but navigation. If Ports and Railways are the concern of the Government of India why not navigation, instead of the latter being improperly included under Irrigation in Bengal?

Budget head " XIII " gives a clear view of the proportion of Irrigation works proper to those of navigation. While the net total estimated expenditure for the former is Rs. 2,70,000, that of the latter is Rs. 16,17,000. The former shows a credit balance of Rs. 20,000 while the latter a deficit of Rs. 6,68,000. The provincial revenue suffer from this burden alone, not to speak of interest and other cooked charges to the tune of Rs. 6,48,000.

My contention, Sir, is that while even the minutest figures in respect of expenditure for other departments are scrutinised, or at least given an opportunity for being scrutinised, lakhs and even crores of rupees are spent on practically unnecessary, sometimes positively injurious, and in every case extravagant works on the strength of the opinion and recommendation of a single person, working behind closed doors. Extreme pressure has at times obliged the Hon'ble Member-in-charge to open his eyes and utter a few words that a gramophone might have done just as well and perhaps more mellifluously. It is an open secret that Mr. Addams-Williams wrote a reply, of course, confidential, to the criticisms of Sir Williams Willcocks. I understand it was seen by more men than a dozen, but may I enquire why it was not published if the facts and reasons stated therein were so incontrovertible that Government could disregard grave warnings to allow the Hon'ble Member to continue in his unnatural sleep? I have in my hand a letter from Sir William Willcocks, written at the end of last year, in which he says: " In my life I have never written a line which could not be read and criticised by the man whom I criticised. All other criticisms I do not think are worth the paper they are written on." That is the spirit of the scientist, the seeker after truth and the man of action. Why cannot the greatest living deltaic expert come forth with his views in the same way?

Sir, I have said before, and I repeat once again with all the emphasis at my command, that the remedy lies in the immediate

change of policy of Government and the creation of a Board for Irrigation on which sufficient place should be found for the representatives of the people. Such a Board could be the arbiters of schemes after due publicity had been given them. Star Chamber methods have ruined the prospects of the province and saddled it with a tremendous burden for generations to come. It is high time that the Hon'ble Member, if he is to discharge his duty at all, should rouse himself from his slumber and take action, if at all he is capable of it. Or else it is high time that the name of the Irrigation Department be changed to the Irritation Department.

[At 4-20 p.m. the Council was adjourned for prayers and it reassembled at 4-35 p.m.]

Babu ROMES CHANDRA BACCHI: I beg to move that the demand of Rs. 12,62,000 under the head "15.—Irrigation" be reduced by Re. 1 (for condemning Government's attitude of indifference for taking up a comprehensive irrigation scheme for the whole of Bengal).

My object in bringing this motion forward is to condemn the irrigation policy of the Government of Bengal. Bengal may justly be described as a land of rivers. Its history is the history of its rivers and water-courses. But its rich rivers are now almost dead or dying, and excepting the Eastern Bengal districts, the other parts of the province—I mean the Northern, Western, and Central Bengal—have long ceased to be enriched by the fertilising silt of the great rivers, especially of the Ganges. Its numerous branches, though it found its way to the sea, have long degenerated into stagnant pools. The result has been that the agricultural prosperity of the country has declined enormously. The problem is not yet so acute in Eastern Bengal; but it may become so in the near future owing to the facts that rainfall is abundant and the land of the delta is still being enriched by yearly deposit of silt. But the situation is rather critical elsewhere in the province. In North Bengal, and the Central, Western and some parts of the Eastern Divisions are too high for inundation, and in Rajshahi, and parts of Pabna and Malda inundation has practically ceased.

According to the Census Report of 1911, "the soil of Nadia is getting less and less fertile"; now, it has greatly deteriorated on account of the silting up of river channels.

In Murshidabad, agriculture has greatly deteriorated owing to the cessation of periodical inundations which used formerly to enrich the soil.

In Jessore, with the exception of the Kumar river, the interior rivers, *viz.*, Nabaganga, Chitra and Bhairab, have within the last

century practically ceased to be true deltaic rivers as they no longer convey the waters of the great Ganges to the sea.

The same remarks apply to many parts of Western Bengal. Dr. Bentley in his book "Malaria and Agriculture" on page 19, remarks:

"Briefly, it is the want of facilities for the ingress and egress of rain and flood water which is responsible both for a great decline of agriculture and the deterioration of the public health that has accompanied it. The indiscriminate embanking of vast tracts in lower Bengal, primarily for flood prevention and secondarily owing to the construction of the net-work of railways and roads that now covers the country, has caused serious damage alike to agriculture and to the health of the people. In 1912, according to the Director of Agriculture—'.....the District Officers of Nadia, Burdwan, Midnapore, Howrah, Krishnagar, and Murshidabad, report agricultural deterioration..... In Krishnagar, the gradual silting up of the river channels and the insufficiency of railway culverts are put forward as causes of deterioration.'"

Sir, Dr. Bentley makes an estimate of the loss in Western and Central Bengal owing to the impoverishment of the soil, the lack of moisture, and local water-logging that has followed the embanking of the country, and the shutting out of the silt-bearing river water. He gives a figure which takes one's breath away. He says on page 47 of the same book—

"Taking Western and Central Bengal (the Burdwan and the Presidency Divisions) together, the present gross agricultural outturn is probably somewhere between Rs. 50 or 60 crores, or less than one-half of what it would be if irrigation with river water was made available."

So that, Sir, the yearly loss in Central and Western Bengal alone is something like 50 to 60 crores of rupees. If we add to it the loss sustained by North Bengal, the figure would come somewhere near Rs. 75 crores per annum.

Sir, such is the situation to which we have been reduced by the acts of this benign Government! Only last year we had bitter experience of famine in almost all the Western, Northern, and Central Bengal districts owing to the failure of the monsoon. It is almost criminal to make the people depend solely upon the freaks of nature—the uncertainty of a good rainfall—for the agricultural prosperity of a vast province like Bengal, for, Nature, left to itself, seldom works in accordance with human wants and necessities. The insistent demand of the people for measures to improve the silted-up channels and resuscitate the dead and dying rivers and khals has been systematically treated by Government with an amount of apathy and indifference which is simply astounding.

Sir, we ask " Is the task an impossible one? " Whatever may be the reply from the Government side, we know that it is not for our sister provinces, for instance, Madras, under similar circumstances have boldly faced the problem and solved it. Dr. Bentley on page 139 of the same book has given us an idea of what Madras has done. He says—

" In 1827, absolute ruin stared Tanjore and the adjoining districts in the face. In 1833, the need for wide-reaching works was exceptionally great, when Captain Arthur Cotton, R.E., was first sent to inspect the delta, whose population was nearly in a state of rebellion from neglect. In 1836, there was no prosperity, when Captain Cotton conceived his plan. Seventeen years later Colonel Baird Smith, one of the greatest irrigation engineers that India has seen, remarked of the same area:

' The permanent prosperity of Tanjore is without doubt to be attributed in a large measure to that first bold step taken by Colonel Cotton in the construction of the Upper Coleroon dam.'

Altogether, there are just over 1,000,000 acres of land under irrigation in the delta which has long borne the reputation for being one of the most prosperous areas in the whole of India. In 1878, it was stated:

' The Tanjore works have been the principal means of raising the condition of two and a quarter million people to such a state of wealth and prosperity as we may safely believe no district of India ever attained before.' "

I beg leave of the House to refer also to the Godavari Irrigation scheme. In 1842, the delta was not only a very poor district, but also a very feverish one. On page 140 of the same book we find—

" On the recommendation of Sir Henry Montogomery, Major (afterwards Sir) Arthur Cotton was sent to investigate the possibilities of irrigation in the delta. He found that the delta of the Godavari included about 1,700 square miles of country, of which 816,000 acres was cultivable, 272,000 acres being occupied by sandy tracts, channels, roads, village sites, etc.; and he estimated that irrigation might be expected to increase the gross produce of this area by no less than £1,200,000 per annum, land revenue being at the same time increased by £20,000. He proposed including the adjoining Kistna delta in the scheme also, whereby, a much larger area than that stated above would enjoy equal benefit. ' If it be asked,' he said, ' how is this great sum of money to be obtained? ' the answer is, ' Simply by converting the water of the Godavari into money instead of letting it run into the sea.' "

4-45 p.m.

The result of the scheme has been summed up in the following words on page 144 of the same book:—

"At one time it was brought to a state of extreme impoverishment and distress. Since the introduction, however, of the admirable system of irrigation, it has brightened and revived. The people are prosperous and contented. It is the garden of the great northern province."

Sir, what has been achieved in Madras may also be successfully achieved here. But what is wanted? Dr. Bentley answers the question on page 188 of his book. "All that is wanted is the genius that can devise means for bringing the water that is at present being wasted to the land that is now lying waste. The future of Bengal is bound up with the solving of this great problem. For the health of the people, the success of agriculture, the welfare of the whole community, the prosperity of the railways and the commercial supremacy of the city and port of Calcutta, are all bound up with this great question, how best to bring back the waste lands of the delta, the life-giving flood waters of the rivers, of which they have been so long deprived."

Sir, this Council some time ago adopted a resolution recommending a survey of the waterways of Bengal. Such a survey of water channels district by district is essentially necessary as a preliminary step to any scheme for irrigation. Our water channels as well as our rivers have been grievously neglected, so that these channels no longer serve the purpose of irrigation, drainage, or communication for which they were originally constructed. Besides, the enormous land hunger of the people and the hunger for money of our landlords are responsible for the deterioration of these channels which in many places have been converted into cultivated lands, obstructing both drainage and irrigation.

Even such a modest demand on our part has not as yet been paid heed to by the Government. They are all along trifling with this great question, upon the proper solution of which depends the well-being of this province. So, I hope the House will accept my motion and condemn the policy or want of any policy of the Government in this all-important question.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: Sir, the time is short and I think the Government should now be called upon to reply.

Mr. PRESIDENT: I will call upon the Government Member to reply ten minutes before the allotted time expires.

Mr. H. S. SUHRAWARDY: Sir, I hope you will give a chance to this side also.

Mr. PRESIDENT: Leave that to me.

Khan Bahadur Maulvi AZIZUL HAQUE: I have been a member of this Council for the last two years and a member of the Standing Committee of the Irrigation Department for a period and in spite of the experience thus gained, it has been a matter of great difficulty to me to understand the policy of the Irrigation Department. I personally have been advocating for the last year and half that the time has come when in regard to irrigation, which is a provincial subject, Government should definitely enunciate its policy. There is a growing feeling in the country that so far as the Department of Irrigation is concerned, it concerns itself more with navigation than with irrigation proper. The public feels that the department should justify its existence by bringing up smaller schemes of irrigation rather than wasting its time and energy over big schemes which have ultimately to be abandoned for want of funds. Sir, therefore, I strongly emphasise that the Government should enunciate its future policy with reference to irrigation works. It should not leave the members of the Council as well as the general public to gather whatever information they can from the unintelligible records of the Irrigation Department. I am not sure whether any member of this House has been able to understand on a first glance the budget and the still more complicated administration report, which is at the same time a costly publication. I do not think it is the intention of Government to make it costly in order to make it not readily available to the public. What I strongly advise is that the affairs of this department should be looked up by a small committee. On a close study, I am justified in asking that Government should appoint a small committee not only to look into the financial working of the department, not only to look into the working of that section known as the dredger section, but also to look into the working of the other sections of this department. This committee will see things in their true perspective and give their considered opinion and not leave us entirely to the mercy of the departmental head. I also think that the time has come when a proper and a general survey of irrigation possibilities should be undertaken in order to take up smaller projects. I belong to a district where small irrigation projects are necessary for the advancement of agriculture, but this is a thing which we have not been able to impress on the Irrigation Department. One word more and that is, that I strongly support the report of the Agricultural Commission in which it is definitely stated that irrigation work and navigation work should be completely separated. I do not know whether this principle has been accepted by Government, but I think Government should do well to draw a line of demarcation between the two items—irrigation and navigation.

Personally, I make no secret of this fact that I am prepared to vote for any extra grant for increasing the establishment which may be necessary for separating the two branches.

Mr. H. S. SUHRAWARDY: Sir, I support the various amendments for I consider that Government ought not to have the confidence of the House, at any rate, of its independent section in matters relating to its irrigation policy. The many resolutions that have been passed from time to time show unmistakably that the policy of Government does not find favour with any section of the House. Resolutions after resolutions have been passed, demands, appeals have been made to excavate the canals and give water to the land, and nothing has been produced except Mr. Addams-Williams, who adorns the Government benches to-day. Hence, let us welcome him to the Council. If we have time, I hope he will favour us with an authoritative pronouncement with regard to the Irrigation policy of Government. Hitherto Mr. Addams-Williams' views have been conveyed in whispers and enshrined in documents marked confidential, and circulated to a limited number of persons who either are not interested in the Irrigation Department or are so few in number that Mr. Addams-Williams can individually and collectively bamboozle them. We all know that Bengal has been converted into a country of dying rivers, it is now desolate, full of malaria, lacking in water, and poverty-stricken. We shall learn to-day how such a comprehensive desolation has overtaken Bengal. But we must do Mr. Addams-Williams' justice. He is a busy man: he has got to go to visit the little canals which he has created. It is apparently not his business to go and see if the other canals, which existed before he came to office, are in existence now or not. Hence how can he explain that while new canals are brought into existence at tremendous cost the old ones are permitted to decay and become useless. I have had the privilege of an interview with Mr. Addams-Williams and like Boswell unto his Johnson, I have taken down the words of wisdom that fell from Mr. Addams-Williams. Those words I would like to place before the House, but I am afraid I may not have time to do so. If Mr. Addams-Williams does not make his speech to-day, his words of wisdom will be lost.

Mr. PRESIDENT: Give Mr. Addams-Williams a chance to speak.

Mr. H. S. SUHRAWARDY: Last year on the floor of this House I discussed the main principles of irrigation, and the indiscretions of Mr. Addams-Williams. It is not necessary to repeat them, but he cannot get over his habit of putting little sluices wherever he sees fresh water, recently he tried to put up some sluices in Midnapore in the Russalpore river, and in the south of Howrah, and very rightly the people protested and Mr. Addams-Williams retired hurt. Now

the main question is: Is Mr. Addams-Williams going to accept the principle of irrigation as laid down by Sir William Willcocks or not. I would ask Mr. Addams-Williams not to consider that his reputation is at stake. We do not say that he is responsible for the past condition of things though he is no doubt responsible for their continuance. I say—let him not add to his many indiscretions by belittling Sir William Willcocks. When I came back from my interview with Mr. Addams-Williams, it seemed to me that the impression meant to be conveyed to me was that Sir William Willcocks was a doddering old imbecile, who had no knowledge of the things he was talking about, who could not speak of irrigation because he had not seen a flood, the same Sir William Willcocks who has been invited by almost all civilized governments to advise them on irrigation matters, but whose advice is sought to be held at a discount by that Mighty Atom known as the Government of Bengal, represented by Mr. Addams-Williams. I do not know whether there is any body here who is well informed, and who does not take an expert on trust because he poses to be an expert, and occupies the position of an expert who will say that Mr. Addams-Williams can be considered seriously to be a rival of Sir William Willcocks, in matters of irrigation, either now or for some time to come.

Now the reason why Sir William Willcocks has taken us by storm is that his views are the views of the Indian people, views which they have all along entertained. Views based upon their experience, for have they not seen those rivers which gave them life now lifeless themselves? I will attempt to contrast the views of Sir William Willcocks with those of Mr. Addams-Williams. Sir William believed (1) in basin irrigation for Bengal, i.e., by inundation canals. He wishes to take advantage of the natural rivers or canals, or the artificial canals which have conformed to the level of the country and have supplied the needs of the country from time immemorial. Mr. Addams-Williams believes in perennial irrigation. In the interview with me, he said, I quote verbatim: "Inundation canals are not feasible. Perennial canals are better. The danger of inundation canals is that they silt up just at the head and also in the bed. It is impossible to stop the headbars forming if used as inundation channels, and also to prevent the bed of the channels rising"—a statement voiceful of fallacies. (2) Sir William prefers basin irrigation because it is cheaper; existing canals and rivers will be utilised; all that is required is to have off-takes at proper places after the river has just deposited its silt, and the river water is clear and regulate the flow into the channels. Mr. Addams-Williams presumably prefers perennial irrigation because it calls for labour, engineering technicalities, extra work and costs us Rs. 40 per acre—this is the cost of the Damodar Canal according to him; although perennial irrigation leads to rise of water in the sub-soil and water-logging and a constant struggle against salt, as in the Punjab, although it leads to loss of fertility in the soil and ill-health. Then I may say

at once that the bogey that inundation irrigation will raise the sub-soil water level should be exercised as soon as possible; one need have no fear of it so long as water has a free outlet and is not held up by obstructions. As it is the sub-soil water has become dangerously low and the ground is parched. (3) Sir William believes in enriching the soil with silt———

[Here the member having reached the time-limit resumed his seat.]

Mr. C. ADDAMS-WILLIAMS: Sir, I do not think there is time at my disposal to reply to all the criticisms that have been levelled not only at my department, but at my own head. So far as I can I will deal with them. First, Sir, a statement has been made that there is likely to be a large excess on the Damodar Canal. As far as I can see at the present moment, having proceeded a certain distance with this canal and having gone over all the principal estimates, there will be no excess on this canal at all. I cannot, of course, take into consideration accidents; for instance, we might have a large flood whilst we are making the weir and might have to pay extra money for repairing damage. There are certain estimates on which there has been an excess or there will be an excess, but we have corresponding savings, and these savings will be utilised to meet the excesses. I may mention that by remodelling the head-works in accordance with the advice that we received from the Consulting Engineer to the Government of India, we have been able to reduce the cost of the weir by no less than Rs. 2½ lakhs. There is an excess on the broad gauge siding to the head-works, but this excess is included in the head-works' estimates where, as I have said, there will be a saving of Rs. 2½ lakhs.

5 p.m.

Then, Sir, a statement has been made that the department thinks of nothing but the navigation side of its work. If the work of the department is looked into in detail it will be found that the statement will not bear examination. The next year's budget amounts to something like Rs. 60 lakhs. Of that Rs. 14 lakhs or so is for establishment and of the balance Rs. 31 lakhs is for new construction. Out of this Rs. 31 lakhs, very little will go towards the navigation head and almost the whole of it will go to the head of irrigation proper.

It has also been said that I am responsible for the position here in Bengal with regard to want of irrigation and malaria and goodness knows what else. These things have been in this province long before I was born and if anyone has done anything for reviving irrigation in this province I think I can claim to be the man. Our irrigation at the present moment from Government canals is 100,000 acres only, but when we have finished the Damodar Canal, Darakeswar Canal and the Shuvankardanra Reservoir Scheme and several other smaller ones

that we have under enquiry at the present moment, the irrigation from Government canals will amount not to 100,000 acres but to about 500,000.

I consider, in view of the past history of irrigation in this province, that is a very large advance. It must be remembered that the Irrigation Commission's opinion, in so far as Bengal was concerned, was that the only project that was ever likely to mature was the Damodar Canal and even in that case there was an uncertainty: but we have been able now—thank goodness—to live down the impression created by that report and I claim that we are going forward as fast as we can.

Mr. Naliniranjan Sarker mentioned that perhaps I was responsible for the classification of works as productive and unproductive. I have nothing whatever to do with it; works are classified as productive or unproductive in accordance with rules framed by the Government of India and which have operation throughout the whole of India. I have no say in the matter.

A complaint has been made that very little has been done from the point of view of irrigation in the Bankura district. That statement as it stands is, of course, correct, in view of the fact that, although we have one scheme sanctioned, we are not able to get on with it on account of the present financial condition of this Government, and that the Darakeswar Reservoir project and the Shuvankardanra Reservoir project are not yet ready; it is the area which will be served by the latter project that His Excellency visited. Both of these schemes we are working up, but in connection with the Darakeswar project I may say that we are not likely to complete the scheme just now in view of the fact that there is a great deal of work remaining to be done. This scheme we hope will irrigate something like 100,000 acres. With luck, we may be able to command 1½ lakhs of acres; but there are certain difficulties in connection with the reservoir design, and we may have to pass the water out of the reservoir through a tunnel in the hill and, therefore, no decision is likely to be come to for some time. The Shuvankardanra Scheme, I hope, will materialise before very long: I went there the other day and finally selected the site for the reservoir dam. The area it will command is one which has canals passing through it and all that we require is to store water during the July and August rains in order to supply the wants of October when the paddy crop must, of course, have water.

Khan Bahadur Maulvi Azizul Haque has mentioned that he would prefer that the Irrigation Department should look into small schemes as well as large ones. I admit that this is a very reasonable request, but I should like to inform him that there is hardly a single case that has been brought to our notice and which we have been asked to enquire into, in respect of which we have not done so. The Khan Bahadur doubtless has certain cases in his mind and I would be grateful to him

if he would kindly write and let me know what he wants me to do and I will send out an officer to make enquiries. I do not turn down small schemes and any tendency to do so on anybody's part is a thing which I would put my foot down upon. The Khan Bahadur has also mentioned the report of the Agricultural Commission which recommends that a committee should be formed to go into the question of the separation of various heads of the Irrigation Department. I am authorised to state that this question of the formation of a committee is now under the consideration of Government. I cannot tell you exactly what form that committee will take, but probably it will be a technical committee for the present, that is to say, to do certain work to prepare the way for probably an official and non-official committee later. The committee may be comprised of members of the present Irrigation Board. The Irrigation Board is comprised of the Consulting Engineer to the Government of India and all Irrigation Chief Engineers in the whole of India.

Mr. H. S. SUHRAWARDY: I am very sorry to interrupt Mr. Addam-Williams but the whole House is anxious to hear the Government's views about Sir William Willcock's proposals.

Mr. C. ADDAMS-WILLIAMS: I am taking the points raised by the speakers in the same order in which they were mentioned. This Board is comprised of the Consulting Engineer to the Government of India and all Irrigation Chief Engineers in the whole of India and we are entitled under the rules to ask for a sub-committee to be formed from that Board to go into any case that we may wish. Possibly—I cannot say now, the question is not fully settled—it may be that an outside expert will be attached to the committee.

Then it is said that I do not take any interest in the dead rivers of Bengal. I absolutely deny that. One-half to two-thirds of my time is occupied in that very subject. I will say no more about it as the statement has only to be made to be disbelieved.

Mention has been made about the proposals of Sir William Willcocks. I am certainly not in entire agreement with Sir William Willcocks. There is one point I should like to mention in connection with his proposal to build a barrage on the Ganges, which is that my department and myself have never turned down that scheme. There is not the slightest doubt that if a barrage were built on the Ganges in the correct position a great deal of the trouble now experienced in Central Bengal would cease, but the question that first has to be answered is, "Can the province stand the cost." I do not accept Sir William's estimate for the barrage but———

(As the maximum time allotted for the discussion of the heads "XIII, 15, 15 (*I*), 16 and 55.—Irrigation" having been reached the speaker had to resume his seat.)

Mr. P. C. BASU: May I ask a question?

Mr. PRESIDENT: I do not think I can allow you to do that. The guillotine must fall as the maximum time-limit has been reached.

Three identical motions have been moved and I think it will satisfy the House if I put only one of them. I will put the motion of Babu Akhil Chandra Datta.

The motion that the demand of Rs. 12,62,000 under the head "15.—Irrigation—Other revenue expenditure financed from ordinary revenue (Reserved)" be reduced by Re. 1 (to protest against the half-hearted policy of the Department) was then put and a division taken with the following result:—

AYES

Acharjya Chaudhuri, Maharaja Shashi Kanta.
Afzal, Maulvi Syed Muhammad.
Bagchi, Babu Romes Chandra.
Banerjea, Dr. Pramathanath.
Banerjea, Babu Promotha Nath.
Bannerjee, Babu Jitendralal.
Basu, Babu Sasi Sekhar.
Basu, Mr. P. C.
Biswas, Babu Surendra Nath.
Bose, Babu Bejay Krishna.
Bose, Mr. S. C.
Chakraburtty, Babu Jatindra Nath.
Chakravarti, Babu Jogindra Chandra.
Chatterjee, Srijut Bijay Kumar.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dutt, Babu Saraj Kumar.
Ganguly, Babu Khagendra Nath.
Ghose, Babu Amarendra Nath.
Ghosh Maulik, Mr. Satyendra Chandra.
Guha, Mr. P. N.
Gupta, Mr. Jogesh Chandra.
Hoque, Kazi Emdadul.
Karim, Maulvi Abdul.
Maiti, Babu Mahendra Nath.
Moitra, Srijut Jogendra Nath.
Mukherjea, Srijut Taraknath.
Nandy, Maharaj Kumar Sris Chandra.
Naskar, Babu Hem Chandra.
Pal Choudhuri, Mr. Ranjit.
Rahman, Maulvi Azizur.
Rauf, Maulvi Syed Abdur.
Ray, Dr. Kumud Sankar.
Ray, Srijut Radha Gobinda.
Ray, Dr. Bidhan Chandra.
Ray, Mr. D. N.
Ray, Mr. Kiran Sankar.
Ray Choudhuri, Rai Bahadur Satyendra Nath.
Sanyal, Babu Sachindra Narayan.
Sarker, Babu Naliniranjan.
Sen, Srijut Nagendra Nath.
Sen Gupta, Mr. J. M.
Suhrawardy, Mr. H. S.

NOES.

Addams-Williams, Mr. C.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Blair, Mr. J. R.
Casselis, Mr. A.
Chaudhuri, Khan Bahadur Maulvi Hafizar Rahman.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Choudhury, Maulvi Khorshed Alam.
Clark, Mr. I. A.
Cohen, Mr. D. J.
Dash, Mr. A. J.
Drummond, Mr. J. G.
Eddis, Mr. A. McD.
Farequi, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Fyfe, Mr. J. H.
Ghose, Mr. M. C.
Ghuznavi, Alhadj Sir Abdelkerim.
Goenka, Rai Bahadur Badridas.
Gordon, Mr. A. D.
Hoque, Khan Bahadur Maulvi Azizul.
Hogg, Mr. G. P.
Hosain, Nawab Musharruf, Khan Bahadur.
Hussain, Maulvi Latafat.
Jenkins, Dr. W. A.
Kasem, Maulvi Abul.
Khan, Maulvi Tamizuddin.
Laird, Mr. R. D.
Lamb, Mr. T.
Maguire, Mr. L. T.
Marr, the Hon'ble Mr. A.
Martin, Mr. O. S.
Mitter, the Hon'ble Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. H.
Mukerji, Mr. S. C.
Ordish, Mr. J. E.
Ormond, Mr. E. C.
Philip, Mr. J. Y.
Prentice, Mr. W. D. R.
Rahman, Maulvi Shamsur.
Rahman, Mr. A. F.
Ray Chaudhuri, Mr. K. C.
Rose, Mr. G. F.

Roy, Mr. Bijay Prasad Singh.
Sarker, Rai Sahib Rebati Mohan.
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur.
Stapleton, Mr. H. E.
Tate, Major General Godfrey.
Thomas, Mr. H. W.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Twynam, Mr. H. J.
Wordsworth, Mr. W. C.

The Ayes being 43 and the Noes 53, the motion was lost.

The motions of Srijut Bijay Kumar Chatterjee and Babu Romes Chandra Bagchi were covered by the foregoing decision of the Council.

The time-limit under the head "XIII, 15, 15 (*I*), 16 and 55.—Irrigation" having been reached, the following motions were not put:—

Maulvi SYED ABDUR RAUF: "That the demand of Rs. 12,62,000 under the head '15.—Irrigation' be reduced by Re. 1 (to express dissatisfaction with the general policy of the Government and specially for not taking up the Bhairab Project)."

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 17,31,000 under the head 'XIII.—Working expenses—Irrigation' be reduced by Rs. 5,000."

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 17,31,000 under the head 'XIII.—Working expenses' be reduced by Rs. 2,000."

Babu NALINIRANJAN SARKER: "That the demand of Rs. 17,31,000 under the head 'XIII.—Irrigation—Working expenses' be reduced by Rs. 101 (to criticise the general policy and administration of the Irrigation Department)."

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 17,31,000 under the head 'XIII.—Working expenses' be reduced by Re. 1 (on the ground of want of confidence in this department)."

Babu JATINDRA NATH CHAKRABURTTY: "That the demand of Rs. 17,31,000 under the head 'XIII.—Irrigation—Working expenses' be reduced by Re. 1 (to initiate a general discussion of the policy of the Government regarding this department in which several lakhs of rupees during the last few years have been spent ineffectively)."

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 17,31,000 under the head 'XIII.—Irrigation—Working expenses' be reduced by Re. 1 (to discuss the attitude of the Government towards the pressing Irrigation problems of Bengal)."

Babu NALINIRANJAN SARKER: "That the demand of Rs. 29,93,000 under the major heads 'XIII.—Working expenses' and '15.—Other revenue expenditure financed from ordinary revenue—Irrigation Department,' be reduced by Rs. 2,93,000."

Srijut NAGENDRA NATH SEN and Maulvi SHAMSUR-RAHMAN: "That the demand of Rs. 29,93,000 under the heads '15.—Irrigation' and 'XIII.—Working expenses' be reduced by Rs. 100 (for not providing any money for the excavation of the Alaipur Khal in Khulna)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 2,90,000 under the head '16B.—Irrigation, Navigation, Embankment and Drainage Works (Reserved)' be reduced by Rs. 100 (Improvement of Chandana and Upper Kumar rivers)."

Babu AKHIL CHANDRA DATTA: "That the demand of Rs. 2,90,000 under the head '16.—Construction of Irrigation, Navigation, Embankment and Drainage Works (Reserved)' be reduced by Re. 1 (to protest against the inadequacy of Irrigation proper)."

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 2,90,000 under the head '16.—Construction of Irrigation' be reduced by Re. 1 (on the ground of want of confidence)."

Babu MANMATHA NATH ROY: "That the demand of Rs. 21,26,000 under the head '55A.—Irrigation Works' be reduced by Rs. 100 (Policy in regard to Irrigation Works)."

Srijut JOGENDRA NATH MOITRA: "That the demand of Rs. 1,56,000 under the head '55.—Construction of Irrigation, etc.—Irrigation Works—Establishment' be reduced by Rs. 1,50,000."

Babu MANMATHA NATH ROY: "That the demand of Rs. 1,56,000 under the head '55A.—Irrigation Works—Establishment' be reduced by Rs. 100."

Babu NALINIRANJAN SARKER: "That the demand of Rs. 23,11,000 under the head '55A.—Construction of Irrigation, Navigation, Embankment and Drainage Works not charged to Revenue' be reduced by Rs. 101 (to draw attention to the policy and administration of the Damodar Canal Scheme)."

Mr. P. C. BASU: "That the demand of Rs. 3,000 under the head '55.—Construction of Irrigation Works—B.—Navigation, Embankment and Drainage Works—Productive Works' be refused."

Babu MANMATHA NATH ROY: "That the demand of Rs. 11,500 under the head '55.—Irrigation—B.—Navigation, Embankment and Drainage Works—Unproductive Works' be reduced by Rs. 100."

Babu NALINIRANJAN SARKER: "That the demand of Rs. 17,000 under the head '55B.—Construction of Irrigation, Navigation, Embankment and Drainage Works not charged to Revenue' be reduced by Rs. 101 (to criticise the policy and administration relating to the canal dredgers, etc)."

Mr. SATYENDRA CHANDRA GHOSH MAULIK: "That the demand of Rs. 17,000 under the head '55B.—Navigation, Embankment and Drainage Works' be reduced by Rs. 100. (Enormous expenditure on the dredgers mainly purchased for Grand Trunk Canal Scheme)."

Mr. P. C. BASU: "That the demand of Rs. 17,000 under the head '55 B.—Construction of Irrigation' be reduced by Re. 1 (Damodar Canal Project, Wilcox's counter Scheme October rains theory—Irrigation and malaria)."

Babu NALINIRANJAN SARKER: "That the demand of Rs. 23,28,000 under the head '55.—Construction of Irrigation, Navigation, Embankment and Drainage Works not charged to revenue' be reduced by Rs. 3,28,000."

Maulvi SHAMSUR-RAHMAN: "That the demand of Rs. 23,28,000 under the major head '55.—Construction of Irrigation' be reduced by Rs. 100 (on the ground that no money has been provided for the Excavation of Alipur Khal in Khulna which work having been sanctioned long ago)."

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 23,28,000 under the head '55.—Construction of Irrigation' be reduced by Re. 1 (on the ground of want of confidence in this department and on the ground that the Government did not provide for any sum for the construction of Suvankar Danra scheme and Darkeswar Reservoir scheme in the district of Bankura)."

Babu AKHIL CHANDRA DATTA: "That the demand of Rs. 23,28,000 under the head '55.—Construction of Irrigation, Navigation, Embankment and Drainage Works not charged to revenue (Reserved)' be reduced by Re. 1. (Half-hearted policy)."

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 56,12,000 under the heads 'XIII, 15, 15(*1*), 16, and 55.—Irrigation' be reduced by Rs. 1,000."

Babu JITENDRALAL BANNERJEE and Maulvi TAMIZUDDIN KHAN: "That the demands of Rs. 56,12,000 under the heads 'XIII, 15, 15(*1*), 16 and 55.—Irrigation' be reduced by Rs. 100 (to raise the general question of the Irrigation policy of the Government)."

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 56,12,000 under the heads 'XIII, 15, 15(*1*), 16 and 55.—Irrigation' be reduced by Rs. 100 (to raise a discussion on the general policy and administration of the department)."

5-15 p.m.

The motion that a sum of Rs. 56,12,000, as amended by the Council, be granted for expenditure under the heads "15—Irrigation," "XIII—Irrigation—Working expenses," "15 (1)—Other Revenue expenditure financed from Famine Relief Grant," "16—Construction of Irrigation, Navigation, Embankment and Drainage works" and "55—Construction of Irrigation, Navigation, Embankment and Drainage works not charged to Revenue" was then put and a division taken with the following result:—

AYES.

Acharjya Chaudhuri, Maharaja Shashi Kanta.
Addams-Williams, Mr. C.
Afzal, Maulvi Syed Muhammad.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Blair, Mr. J. R.
Casselis, Mr. A.
Chaudhuri, Khan Bahadur Maulvi Hafizar Rahman.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Choudhury, Maulvi Khorshed Alam.
Clark, Mr. I. A.
Cohen, Mr. D. J.
Dash, Mr. A. J.
Drummond, Mr. J. G.
Eddis, Mr. A. McD.
Farequi, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Ghose, Mr. M. C.
Ghuznavi, Alhadj Sir Abdelkerim.
Goenka, Rai Bahadur Badridas.
Gordon, Mr. A. D.
Guha, Mr. P. N.
Haque, Khan Bahadur Maulvi Azizul.
Hogg, Mr. G. P.
Hossain Nawab Musharruf, Khan Bahadur.
Huq, Khan Bahadur Maulvi Ekramul.
Hussain, Maulvi Latafat.
Jenkins, Dr. W. A.
Karim, Maulvi Abdul.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Laird, Mr. R. D.
Lamb, Mr. T.
Maguire, Mr. L. T.
Marr, the Hon'ble Mr. A.
Martin, Mr. O. S.
Mitter, the Hon'ble Sir Provash Chunder
Moberly, the Hon'ble Mr. A. N.
Mukerji, Mr. S. C.
Ordish, Mr. J. E.
Ormond, Mr. E. C.
Philip, Mr. J. Y.
Prentice, Mr. W. D. R.
Rahman, Maulvi Shameur-
Rahman, Mr. A. F.
Rauf, Maulvi Syed Abdur.
Rees, Mr. G. F.
Ray, Mr. Bijoy Prasad Singh.
Sarker, Rai Sahib Rebati Mohan.
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur.
Stapleton, Mr. H. E.
Suhrawardy, Mr. H. S.
Tate, Major-General Godfrey.
Thomas, Mr. H. W.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Twynam, Mr. H. J.
Wordsworth, Mr. W. C.

NOES.

Bagchi, Babu Romes Chandra.
Banerjee, Dr. Pramathanath.
Banerjee, Babu Promotha Nath.
Bannerjee, Babu Jitendralal.
Basu, Babu Sasi Sekhar.
Basu, Mr. P. C.
Biswas, Babu Surendra Nath.
Bose, Babu Bejoy Krishna.
Bose, Mr. S. C.
Chakraburtty, Babu Jatindra Nath.
Chakravarti, Babu Jogindra Chandra.
Chatterjee, Srijut Bijay Kumar.
Datta, Babu Akhil Chandra.
Dutt, Babu Saral Kumar.
Ganguly, Babu Khagendra Nath.
Ghose, Babu Amarendra Nath.
Gupta, Mr. Jogesh Chandra.
Heque, Kazi Emdadul.
Maiti, Babu Mahendra Nath.
Moitra, Srijut Jogendra Nath.
Mukerjea, Srijut Taraknath.
Nasker, Babu Hem Chandra.
Pal Choudhuri, Mr. Ranjit.
Rahman, Maulvi Azizur.
Ray, Dr. Kumud Sankar.
Roy, Srijut Radha Gobinda.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sanyal, Babu Sachindra Narayan.
Sarker, Babu Naliniranjan.
Sen, Srijut Nagendra Nath.
Sen Gupta, Mr. J. M.

The Ayes being 58 and the Noes 34, the motion was carried.

22.—General Administration.

The Hon'ble Mr. A. N. MOBERLY: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 1,08,59,000 be granted for expenditure under the head "22.—General Administration."

5-30 p.m.

The following motion was called but not moved:—

Maulvi SYED MUHAMMAD AFZAL, Mr. A. F. M. ABDUR-RAHMAN, Kazi EMDADUL HOQUE, Babu AMARENDRA NATH GHOSE, Dr. KUMUD SANKAR RAY and Maulvi KHORSHED ALAM CHOUDHURY: "That the demand of Rs. 19,300 under the head '22A.—Staff and Household of the Governor—Private Secretary—Pay of clerks' be reduced by Re. 1 (to criticise the policy of recruitment of lower division and upper division assistants of the office of the Private Secretary)."

Dr. KUMUD SANKAR RAY: I beg to move that the demand under the head "22A.—General Administration—Staff and Household of the Governor—Private Secretary—Subscription to Indian News Agency Telegrams" be refused.

In doing so, I would like to say very few words and as it is already too late and there are many members who want to speak on this matter, I shall be as brief as possible. In the first place, let us find out what this Indian News Agency really is: it is really an association of which the owners are the Reuter and the Eastern News Agency—it is really

benami of the Associated Press of India; and under the name of the Indian News Agency they receive grants from the different provincial Governments to the extent of something like Rs. 1,10,000, and not only that, they enjoy certain privileges which are denied to other News Agencies which are run by Indian capital and under Indian management, namely, the Free Press of India. What I want to make out is—why should there be this differentiation in the privileges and rights enjoyed by a News Agency under European management, while the same privileges and rights should be denied to another news service, *viz.*, the Free Press of India. The Indian News Agency, *i.e.*, the *benamis* of the Associated Press, enjoy certain privileges such as free railway passes, the free use of Trunk Telephone lines, concession rates in telegraphs, while these privileges are denied to the Indian-managed concern—the Free Press of India. There are other privileges which are denied to the Free Press. I shall not refer to them except one fact, and that is that the speeches of Governors and of the Viceroy are not supplied to the Free Press but to the Associated Press only. Why is this discrimination with regard to the supply of speeches of the Governors of Provinces which often contain pronouncements on important political matters? For instance, the speeches made at the St. Andrews' Dinner, where the public are not allowed, have to be published, and these publications are made only through the agency of the Associated Press of India, and that is a thing which is most unfair and should be done away with. There might have been some justification for doing this sort of thing when there was not any Indian-owned News Agency—but what I want to make out is that if these news are supplied to a European company why should they not be given to the Press of India as well. Why should there be a protection given to a European firm and not to an Indian firm: why should not the same privileges be given to a Free Press which is really an Indian concern, managed by Indians and run by Indian capital. In this country if protection can be demanded, that protection should only be given to Indians and if not there should be an equal distribution of privileges and rights to Indian as well as European managed concerns.

There is another point which I would like to mention, and that is, the news that are supplied to the Government by the Associated Press are of two kinds. The great bulk of the news supplied by the Associated Press is really Government news and comes back to the Government, and for that the Associated Press gets payment. So I really do not understand why should the Government, which is in possession of all the news, go out of its way to spend public money in getting news back second-hand—their own news through another firm and pay Rs. 3,000. There are other things for which the Government may have some interest and they can be readily obtained from the important

daily newspapers, so abundant in this country. So the necessity of subscribing to this company to keep the Governors and the Viceroy informed what is going on in the country and keep them informed of all the news is really not the real intention. It is really meant to subsidise an organisation which has been started for certain purposes, and I shall come to that just now. Sir, the grant of this monopoly to one particular institution has done considerable mischief; for instance, attempts are made purposely to withhold some news. Had the Indian News Agency been impartial in the publication of news, I would not have so much objection. But what happens? We find that certain news are purposely suppressed to mislead the people and to suit certain policies which the Government wants to carry out through this News Agency. I may mention one instance. As we all know, some trouble arose in connection over the burning of British cloth in Mirzapur Park. From the statement that was published by the Associated Press we found that several sergeants and constables were assaulted, but no mention was made of the fact that a number of the public were also assaulted by the police. I can tell the members of the House that I personally attended to at least six cases of injuries received from the hands of the police. I can multiply these instances. There are certain political conferences held all over the country. Recently a conference was held at Manikganj in the district of Dacca and it was an important conference but no mention was made of it by the Associated Press of India. Now, Sir, as I have told you before, these agencies are not really meant to supply news to the Government, but they are really subsidised with a view to carry on a certain type of propaganda. We all know when the Simon Commission came, what sort of reception they received. In spite of the common knowledge that the Commission was mostly boycotted everywhere by the public, the news that were cabled by the Associated Press to England were very much retouched and did not at all represent the real facts. Those of us who were in England during the European War will bear me out as to what a News Agency can do. Even during the War, some of us had occasion to know what was done as propaganda by the Press by suppressing facts and news of battles. We treated cases of injury received by sailors in naval fights but no news were published of the battle, and distorted news were published which were different in different countries. So we know what News Agencies do not only in this country but also in other countries. That is why I submit that no discrimination should be made in subsidising one News Agency at the expense of another—namely, the Free Press of India. This is with regard to political news. One can, however, understand that in view of the fact that the proprietors of this Company being Europeans they might naturally be expected to support their own countrymen whether right or wrong and thus suppress some political news in order to suit their purpose. But what about non-political news? I might

tell my friends that even when news of charitable institutions managed by Indians are given to the Associated Press the latter refuse to give proper publicity. Of course in a political matter if they wanted to distort the news, I would not raise my voice of protest; but I cannot understand why in cases of charitable institutions publicity is refused by this Indian News Agency which are really a *benami* of the Associated Press. With these observations, I beg to commend my motion to the acceptance of the Council.

Babu AMARENDRA NATH GHOSE spoke in Bengali in support of the motion.

Babu JITENDRALAL BANNERJEE: Mr. President, I have much pleasure in supporting the proposal which has just been moved. This is such a small and trifling sum—a mere bagatelle of Rs. 3,000 -that I am almost ashamed to mention it, when compared with the lakhs and crores which my more fortunate friends have been permitted to handle. But there is a question of principle involved. Before, however, we come to the question of principle, let us see what the Indian News Agency does. As has already been pointed out by Dr. Ray, it supplies news, the bulk of which is Government news, of which Government themselves are in possession and which they do not require to be supplied by any news agency whatever. The rest of the news supplied concerns matters of general public interest; but here, in Calcutta, where daily papers are so plentiful and are so nicely printed on excellent paper, Government would be in a better position to get such news next morning from the daily papers. In fact, Sir, what is the difference between the news that is supplied by the newspapers and that supplied by the news agency? The news supplied by the Indian News Agency is wretchedly typed on flimsy tissue paper which it is very difficult to read or decipher, while the news you get in the daily papers is beautifully printed on excellent quality paper. Why should His Excellency the Governor have to submit to the inconvenience of reading this kind of wretchedly typed news? As to the question of principle involved, *viz.*, the utility and necessity of subscribing to the news agency, we cannot help coming to the conclusion that this subscription is by way of bribe or subsidy———

5-45 p.m.

And subsidy to whom? Subsidy to a commercial concern supposed to be doing commercial business in competition with other firms. Among such other firms there is the Free Press, which is an Indian concern. I stated in 1927—and that statement has never been contradicted—that the Indian News Agency is a bogus concern. No such independent agency exists. It is simply carrying on on behalf of the Associated

Press, which Associated Press again is the same concern as Reuter's, and they carry on business in competition with the Free Press—an Indian-managed concern. Sir, the Free Press labours under a serious handicap. The Associated Press gets a multitude of advantages and concessions from the Government. It gets first class railway passes, free communication over trunk telephone lines and large concessions in the matter of telegraphic charges. In addition to these concessions, it gets a large amount of money from provincial Governments as well as the Central Government. The total of this amount comes to about a lakh of rupees and out of this the Bengal Government gives its quota of Rs. 3,000. I ask, why should the Bengal Government indulge in this unnecessary expenditure over a foreign concern with the sinister object of killing legitimate Indian enterprise and pampering European business?

The Hon'ble Mr. A. N. MOBERLY: Sir, I did not know that there was any secret about the fact that the Indian News Agency telegrams are issued by the Associated Press, though the speakers on the other side seem to consider it a *benami* concern. The position is that the Associated Press is a news agency which supplies telegrams and news to newspapers. For the benefit of Government a shorter summary is supplied to certain Government officers at a rate lower than the rate at which it is supplied to any newspaper. Then, it has been suggested that when the news is published in the next morning's papers, the Governor need not have it beforehand. I submit that the Governor should obtain Indian news, as well as European news, when he is far away from places where newspapers are published, at the earliest possible moment.

It has been suggested that we should give up the Indian News Agency in favour of the Free Press. The Associated Press has been in existence for a considerable time and I believe the Free Press was started only a few years ago. The Indian News Agency has done us quite well and I cannot see why we should leave them for a new concern. I understand that the majority of papers contribute to the Associated Press, and in certain cases where they contribute to the Free Press, they have not entirely given up their connection with the Associated Press.

As regards the alleged privileges which are given to the Associated Press, I heard of them this evening for the first time. If the Government of India give them free railway passes, the free use of telephone lines and easier rates of telegraph charges, all that I can say is that I know nothing about it. As regards this province both the Associated Press and the Free Press are exactly on the same footing: both of them are supplied with Government communiqués. It is true that we subscribe to the Indian News Agency and not to the Free Press; but when

we subscribe to an agency and when that agency has done us well, we see no reason why we should change that agency for another.

Then, Sir, I think the last time this motion was moved, there was an evening paper in Calcutta, and there was more justification for the argument then that Government might do without these telegrams. There is now no evening paper in Calcutta and the news which is too late for the morning papers is not published till the next morning.

Finally, it has been suggested that the Indian News Agency telegrams are practically supplied by Government to Government. If so, why should Government throw dust in its own eyes. I submit, Sir, that this motion for cutting out the demand for supplying news to His Excellency is a motion which should be disallowed by the Council without hesitation.

The motion of Dr. Kumud Sankar Ray was then put and a division taken with the following result:—

AYES.

Ahamad, Maulvi Asimuddin.
Bagchi, Babu Romes Chandra.
Banerjea, Dr. Pramathanath.
Banerjee, Babu Promotha Nath.
Bannerjee, Babu Jitendralal.
Basu, Babu Sasi Sekhar.
Basu, Mr. P. C.
Biswas, Babu Surendra Nath.
Bose, Babu Bejoy Krishna.
Bose, Mr. S. C.
Chakrabortty, Babu Jatindra Nath.
Chakravarti, Babu Jogindra Chandra.
Chatterjee, Srijut Bijay Kumar.
Datta, Babu Akhil Chandra.
Dutt, Babu Saral Kumar.
Ganguly, Babu Khagendra Nath.
Ghose, Babu Amarendra Nath.
Gupta, Mr. Jogesh Chandra.
Hoque, Kazi Emdadul.
Maiti, Babu Mahendra Nath.
Moitra, Srijut Jogendra Nath.
Mukerjea, Srijut Taraknath.
Pal Choudhuri, Mr. Ranjit.
Rahman, Maulvi Azizur.
Rahman, Maulvi Shameur-
Ray, Dr. Kumud Sankar.
Ray, Srijut Radha Gobinda.
Ray, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Ray, Mr. Kiran Sankar.
Ray Choudhuri, Rai Bahadur Satyendra Nath.
Sarker, Babu Naliniranjan.
Sen, Srijut Nagendra Nath.
Sen Gupta, Mr. J. M.

NOES.

Acharjya Chaudhuri, Maharaja Shashi Kanta.
Addams-Williams, Mr. C.
Afzal, Maulvi Syed Muhammad.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Blair, Mr. J. R.
Cassells, Mr. A.
Chaudhuri, Khan Bahadur Maulvi Hafizar Rahman.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Clark, Mr. I. A.
Cohen, Mr. D. J.
Dash, Mr. A. J.
Drummond, Mr. J. G.
Eddis, Mr. A. McD.
Faroqui, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Fyfe, Mr. J. N.
Ghose, Mr. M. C.
Ghosh Maulik, Mr. Satyendra Chandra.
Ghuznavi, Alhadj Sir Abdelkerim.
Goenka, Rai Bahadur Badridas.
Gordon, Mr. A. D.
Guha, Mr. P. N.
Hagg, Mr. G. P.
Hosain, Nawab Musharruf, Khan Bahadur.
Huq, Khan Bahadur Maulvi Ekramul.
Hussain, Maulvi Latafat.
Jenkins, Dr. W. A.
Khan, Maulvi Tamizuddin.
Laird, Mr. R. D.
Lamb, Mr. T.
Maguire, Mr. L. T.
Marr, the Hon'ble Mr. A.
Martin, Mr. C. S.
Mitter, the Hon'ble Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. H.

Mukerji, Mr. S. C.
Ordish, Mr. J. E.
Ormond, Mr. E. C.
Philip, Mr. J. Y.
Prentice, Mr. W. D. R.
Rahman, Mr. A. F.
Ray Chaudhuri, Mr. K. C.
Rose, Mr. G. F.
Sanyal, Babu Sachindra Narayan.
Sarker, Rai Sahib Rebati Mohan.
Sinha, Raja Bahadur Bhupendra Narayan.
Stapleton, Mr. H. E.
Suhrawardy, Mr. H. S.
Tate, Major General Godfrey.
Thomas, Mr. H. W.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Twynam, Mr. H. J.
Wordsworth, Mr. W. C.

The Ayes being 34 and the Noes 55, the motion was lost.

Srijut RADHA GOBINDA RAY: Sir, I beg to move that the demand of Rs. 39,000 under the head "22A.—Staff and Household of the Governor—Private Secretary" be reduced by Rs. 1,000.

Mr. President, Sir, the reason for bringing forward this motion is very simple. I want to impress upon the House the necessity of systematic curtailment of expenditure. Deeply and intimately acquainted with the real economic condition of our rural folk my mind naturally breaks the limit of forbearance when it dilates upon the costly administrative policy of the present bureaucratic Government. Sir, when I see that our rulers are rolling in luxury and the poor country people are wallowing in the deep mire of poverty, I resent the anomalous state of affairs. I think that our rulers cannot possibly conceive of the extremely horrible condition of the rural population. I desire that our Executive Councillors instead of going up to the hills in the hot summer should once go to a village in the interior of the district of Bankura and live a few days in the midst of the village population. District Magistrates, Subdivisional Officers, Circle Officers and Police Officers should not accompany them. Arrangements for making their stays comfortable should not be made.

Mr. PRESIDENT: Whom do you want to go to the rural areas?

Srijut RADHA GOBINDA RAY: The Executive Councillors.

Mr. PRESIDENT: We have nothing to do with the Members of Executive Council. We are now talking of the Private Secretary to the Governor.

6 p.m.

Srijut RADHA GOBINDA RAY: They should see things uncovered and unburnished. They should mix with the village folk; enter their homesteads, see what food they eat, what kind of water they drink, what sort of clothes they wear, what sort of roads they tread, what types of health they keep, and what sort of lives they live.

Mr. PRESIDENT: Do you want the Private Secretary to go there and see things? (Laughter.)

Babu RADHA GOBINDA RAY: Yes, Sir. (Laughter.) The Private Secretary also is meant. Administrators they are—they should see things with their own eyes. Sir, during the tours of our supra-officials, local Government officials make princely arrangements for their comforts. They see things as they are shown and return to their headquarters after a pleasant tour in the mufassal Arrangements for supplying them with all sorts of costly dishes are made by their subordinates in advance. They are not shown what they should see.

Sir, the problem is very serious. The present state of affairs cannot go on for any length of time. Endurance has its limit. Delay will lead to danger. Suppression of the actual state of facts will not in any way solve the problem. What is the remedy? What is the way out? Remedy there is, way out there is, but nothing without money. But how to get money? What source is the money to come from? Fresh taxation some heartless people answer. I emphatically assert on the floor of this House that the country cannot possibly bear the burden of any more fresh taxation. The only way out to get money is to curtail the cost of administration. The cost of administration is certainly too heavy in this poor country and it can and should be curtailed.

Sir, the plea of financial stringency has been put forward in answer to every demand for beneficial projects to improve the material condition of the people. Sir, financial stringency cannot and will not cease unless and until the Government adopt the sane and sober principle of retrenchment. I think that the sum of Rs. 1,000 can very easily be retrenched from Rs. 39,000 from Private Secretary's Department. If such small sums be systematically retrenched from every department then I am sure that arrangements for giving the people of Bengal the supply of pure drinking water may be made. Rs. 1,000 may be a very small sum but it will supply at least one well for drinking water to the rural people. Mere criticism of the policy of administration will not quench the thirst of the poor people. Token cuts are of no avail. Real business is wanted. I have therefore deliberately fixed the sum at Rs. 1,000. I have systematically given motions for small cuts from every department of Government which if accepted will not jeopardise in any way the department concerned.

Sir, in this connection I wish to narrate one pathetic experience of mine. Last year I had been to a village in the interior of Bishnupur subdivision. Ratkhanda is the name of the village. In the morning I went out with a friend of mine in order to see the actual

extent of water scarcity in the surrounding area. Sir, I toured round some five villages. What I actually saw was really heart-rending. Tears ran down my cheeks when I saw the villagers quarrelling by the side of a pond for getting some quantity of water from the pond. Water that was in the pond was extremely muddy. There had not been a single drop of water in the whole area—consisting of about 5-6 miles except a few thousand gallons in that pond. I returned to my place and wrote about the matter immediately to the Chairman of the District Board. He came to my place with the District Engineer and seeing he sanctioned a well. But for a heavenly shower of rain within two days the inhabitants of the locality would have been compelled to leave their hearths and homes—begging shelter and water elsewhere.

Mr. PRESIDENT: You should curtail this portion of your speech; we are not concerned with that matter at present.

Srijut RADHA GOBINDA RAY: All right, Sir. Finally I want to impress upon the House that systematic retrenchment is the only way out of this miserable condition.

The Hon'ble Mr. A. N. MOBERLY: It has not been suggested by the mover of this motion that His Excellency does not require a Private Secretary, and I can assure him that the budget has been carefully prepared and no more money has been allotted than is necessary. It may be news to the mover of this motion that both His Excellency and his Private Secretary paid a visit to Bankura last May in connection with their inspection of the famine-stricken districts of Bengal. I think I need say nothing more.

The motion of Srijut Radha Gobinda Ray was then put and lost.

The following motions were called but not moved:—

Mr. A. F. M. ABDUR-RAHMAN, Maulvi SYED MUHAMMAD AFZAL, Kazi EMDADUL HOQUE, Maulvi KHORSHED ALAM CHOUDHURY, Dr. KUMUD SANKAR RAY and Babu AMARENDRA NATH CHOSE: "That the demand of Rs. 15,500 under the head '22A.—Staff and household of the Governor—Military Secretary—Pay of clerks' be reduced by Re. 1 (to criticise the policy of recruitment of lower division assistants of the office of the Military Secretary)."

Babu MANMATHA NATH ROY: "That the demand of Rs. 1,52,000 under the head '22A.—General administration—Staff and household of the Governor—Military Secretary' be refused."

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 1,52,000 under the head '22A.—Staff and household of the Governor—Military Secretary' be reduced by Rs. 25,000."

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 15,000 under the head '22A.—Staff and household of the Governor—Surgeon to His Excellency the Governor' be reduced by Rs. 1,000."

Babu AMARENDRA NATH GHOSE: I beg to move that the demand of Rs. 65,500 under the head "22A.—General Administration—Staff and household of the Governor—Band establishment—Pay of establishment and allowances and honoraria," be refused.

He spoke in Bengali in support of his motion, the English translation of which is as follows:—

"President, Sir, I have experience of last two occasions when I saw that though this item of expenditure was severely criticised in this House but no attention was given to it by the Government. If this band is absolutely necessary such as the salary of the I.C.S. officers then why this item instead of making it non-voted has been entered into the voted amount? Why Government is showing courtesy of taking peoples' sanction? They could delightfully make it non-voted and the matter would be easily ended there.

It is our bounden duty to oppose this demand. People are dying of preventible diseases and the Government are always admitting their inabilities to prevent them for short of fund. A Bengali cannot sanction such a big amount to be spent for luxury where plain living and high thinking is the ideal of the society."

Mr. PRESIDENT: I will have one discussion on all the motions pertaining to the Band establishment.

Srijut BIJAY KUMAR CHATTERJEE: I beg to move that the demand of Rs. 70,000 under the head "22A.—Staff and household of the Governor—Band establishment" be refused.

Sir, I shall be very brief. I will only say that if His Excellency the Governor thinks that some sort of amusement is necessary for him there are a good deal of amateur and professional band suppliers available in Calcutta and if His Excellency gives them an appointment they will think themselves glorified and His Excellency will also have ample opportunities of amusement and relaxation. Considering that the people of this province are dying in their thousands for want of food and clothing I do not think it would be well for His Excellency, who is at the head of the Administration, to have such a costly band establishment.

With these words I move the motion.

Srijut JOGENDRA NATH MOITRA: I beg to move that the demand of Rs. 70,000 under the head " 22A.—Staff and Household of the Governor—Band Establishment " be reduced by Rs. 65,000.

The reason is clear enough not to require any long speech to explain. The gubernatorial pomp and show fits ill in a country where thousands are carried away every year by starvation and epidemics and other preventible diseases. No remedy worth the name is provided by the Government to save the people, the inevitable excuse being that sufficient money was not available for the purpose. The necessity of an expensive band can never be justified. It may at least drown the moanings of our unfortunate brethren for some time and spread a spell of dauntless imperialism (to its listeners) by its exciting music, but its reaction is even greater. It is bound to bring in the vision of a Nero fiddling away while Rome was in flames. Realities must be faced. Any extra pice expended from the people's money for a purpose not conducive to their welfare is wrong and unjustifiable. I appeal to the House, particularly to those who are here by virtue of popular election, to join me in this motion. With these few words I beg to resume my seat.

[At 6 p.m. the Council was adjourned for prayer and it reassembled at 6-15 p.m.]

Srijut RADHA GOBINDA RAY: I beg to move that the demand of Rs. 70,000 under the head " 22A.—Staff and household of the Governor—Band establishment " be reduced by Rs. 29,000.

Sir, I am fully aware that in ancient India, Hindu kings had their musical attendants, and this system of band establishment is by no means new under the British rule; but, Sir, our Hindu kings were held responsible for the sufferings of the people. We would have been very glad to support this item of expenditure if the people of Bengal had been in a position to afford such luxuries for their Governor. We have already heard in this Council many speeches about the extremely deplorable condition of the people of Bengal, and it does not look well for the representatives of the people in any way to support this unnecessary expenditure. We request, by voting against this demand, His Excellency the Governor to forego this piece of pleasure and spend this money for removing the distress of the poor people.

Maulvi ASIMUDDIN AHAMAD: I beg to move that the demand of Rs. 70,000 under the head " 22A.—Staff and household of the Governor—Band establishment " be reduced by Rs. 24,000.

He spoke in Bengali, the English translation of which is as follows:—

"Each year objection is raised in the House against expenditure under this head and the demand was rejected perhaps several times but Government go on obstinately including this demand in their budget estimates year after year. Rs. 5,731 more has been asked this year than in 1927-28. It is a matter for the consideration of the House how far it is proper to increase each year an expenditure which the people do not at all approve of.

Sir, may I ask why is this partiality for purely instrumental music and wherein is the justification for maintaining a separate establishment therefor? We do not know exactly how many establishments we already have for which we have to pay, and how many other establishments for which more money will be wanted may soon be coming. I am not aware whether our princes have such numerous establishments. This expenditure may be greatly reduced by hiring musicians when music is wanted.

Many of our friends have given notice of the total rejection of the demand under this head and I also did this but I have not moved it. If the demand is thrown up in its entirety it will be a source of great pleasure, and so would be the entire stoppage of music before mosques. If this cannot be done then we may take away Rs. 24,000 from the allotted Rs. 70,000 which will leave Rs. 4,000 or thereabout a month for this music. The money saved may be spent on many works of public utility. And now I move my motion."

Mr. JOGESH CHANDRA GUPTA: Mr. President, Sir, in supporting this motion for refusal, I will put forward a plea not on behalf of the people, but on behalf of His Excellency the Governor himself. Sir, we all know those who pay for the piper has a right to call for the tune. I am sure no respectable gentleman, much less a gentleman occupying an exalted position like His Excellency, would contradict that proposition. If that is so, by providing money from the public exchequer for the band establishment, you are going to deprive His Excellency the right to call for the tune, because he is not paying the piper and he cannot call for the tune. I should think that a band or any musical establishment must be provided at the expense of His Excellency so that he may call for the tune. It would be much better if a very good gramophone is provided in this year's budget so that His Excellency can call for any tune he likes by purchasing records. I think, on this ground, considering the difficulty we are putting His Excellency into, we ought to refuse this demand.

Babu BEJOY KRISHNA BOSE: I beg to move that the demand of Rs. 70,000 for " Band establishment " under the head " 2A.—Staff and household of the Governor " be reduced by Rs. 100 (in spite of reluctance of the Council to vote it, the expenditure is increasing).

Sir, I well remember since we came to this Council six years ago, we have been bringing forward this motion for the total refusal of the band establishment, and at the beginning our opposition had some effect. When we first came to the Council, I remember that the demand was to the tune of Rs. 82,000. In the next year 1924-25 the demand was reduced to Rs. 70,000 and the amount actually spent was Rs. 70,575. In the budget estimate for the next year 1925-26, I think the Government felt the justice of our request and fixed the amount in the budget estimate at only Rs. 56,000 for the band establishment. But unfortunately in the next year the amount spent was Rs. 64,269 and from the last year 1928, the amount budgeted and spent is Rs. 70,000, and the same amount appears in the budget estimate of the next year.

Sir, we have been told from the very beginning that the Band is a necessity. It is a necessity for the " prestige and dignity " of His Excellency the Governor. Sir, I want to know prestige with whom—with the Indian public or amongst the Europeans? Is it contended, is it seriously contended that the prestige and dignity of a Governor depends upon the existence of a band for which we have to pay Rs. 70,000. If that be so, I would make a concrete proposal for being conveyed to His Excellency; let His Excellency be without a band for one year and if His Excellency suffers in the least in prestige or dignity, I assure you, Sir, that in the next year I shall vote for one lakh of rupees for the band establishment. Is it seriously contended that the band is necessary for the prestige and dignity of the Governor? The prestige and dignity, Sir, depends upon the method of administration; it depends upon what sympathetic attitude you show to the popular demands. The prestige and dignity do not depend on the existence of a band establishment. We have it as a fact that other provincial Governors, like the Governor of the Punjab, the Governor of Central Provinces, the Governor of United Provinces, the Governor of Bihar and Orissa, have no band establishment. Is it seriously contended, that they are wanting in prestige and dignity? Well, Sir, I will anticipate my friend, Mr. Moberly, saying that they are provincial Governors while the Governors of the Presidencies of Bengal, Madras and Bombay are Presidency Governors and so have got band establishments. I want to know, Sir, if there is any distinction between a Governor and a Governor. Is it because the provincial Governors are I.C.S. men and the other Governors come from England and belong to the peerage and nobility of that country? There should not be any distinction between the three Governors of the three

Presidencies and the Governors of the other provinces. The distinction shows that Englishmen are as much caste-ridden people as the Hindus although they say that Hindus do not make any progress because of their caste system.

Let us now take the figures of the band establishment of the other Presidency Governors who have got bands. I have looked through the Bombay budget and I find that in Bombay in the year 1925-26, the band establishment cost the people of Bombay Rs. 52,332. Next year, *i.e.*, 1926-27, it was reduced to Rs. 51,452.

6-45 p.m.

In the next year 1927-28 it was reduced to Rs. 51,252 and in the budget estimate for the coming year we find that it is proposed to make a further reduction to Rs. 47,452, that is to say, during the last three years the Bombay Government diminished their grant with regard to the band establishment. There are 29 men on the staff. In Madras the estimate for the coming year amounts only to Rs. 39,000, and there are 26 musicians and one band master. Is there any distinction in social position, dignity and status between the Governor of Bengal and the Governors of Bombay and Madras? I do not know if there is any distinction. If there is any, the European members will be able to say, but whereas the Madras Governor is satisfied in diminishing it to Rs. 39,000; and in Bombay it is gradually diminishing, why in Bengal should it be stationary at Rs. 70,000 for the last three years? I do not know the strength of the staff in Bengal, whether there are more than 29 musicians in Bengal. I would like next to go into the utility of this band. All that we know is that in Calcutta this band plays once a week in the Eden Gardens. I used to visit the Eden Gardens in my college days, but I seldom go there now; that land is practically a forbidden land now and the Indian people resort to the Victoria Memorial. It plays once a week in the Victoria Gardens and I believe it plays once a week in Darjeeling where our tired officers of the Government go to soothe their aching nerves, but very seldom they go to the Gardens to hear the band, at least I have never seen them doing so. That is so far as the public side of the band establishment.

With regard to the private side, I do not know where it plays. I have never been invited to the Governor's dinner and I do not know whether the band plays there for the purpose of helping the digestion of the Governor and the Hon'ble Members of the Council and guests. If it is required for that purpose, I think the services of Hakims and Kabirajes should be requisitioned. Therefore the band is absolutely useless and this Rs. 70,000 is uselessly spent. I join with my friend, Babu Amarendra Nath Ghose, who said: "Why should we be asked to vote this demand for the Governor's band." The Governor's pay is non-voted; most of the household expenses are non-voted. Then why

we the poor rate-payers should be asked to vote this amount of Rs. 70,000 for nothing? I would invite the European members of this House to accept my suggestion and I would ask also the members of the Treasury benches to go without it at least for one year, and if His Excellency the Governor suffers in dignity or prestige, I shall be the first man to vote for a lakh of rupees next year.

Mr. E. C. ORMOND: Sir, I think the object of all politicians is to convince their opponents, but seldom have I heard politicians making speeches to their opponents in such a way that they do not understand them. It makes one suppose that the politicians on the other side of the House in making their speeches have no wish to persuade the members of this side of the House when we find them making their remarks in such a way that was not understandable to those of us who are unskilled in language as I am. If Mr. Gupta is not apparently confused in his legal ideas of agency and agent, he might understand that the Governor was the Government and if it is a question of the Governor providing the band, it is the Government which provides it and can call for the tune. If it is a question of the people providing the band, I have no doubt that an arrangement may be made by which the people might enjoy the tune. I do not know if there is nothing more serious in this House than the Governor's Band—one is tempted to think not. As there are more serious matters than the Governor's Band, I will not take up your time, Sir, or the time of the House in discussing the matter. But one is only tempted to think that the Swaraj party, unlike His Excellency the Governor, who is perhaps a quiet man, do not need a band. It may be that the Swaraj party make enough noises without a band. There may however be people who would like the Swaraj party to continue in such an economical course; but there may be others who would prefer the Swaraj party to be more logical and come nearer to office when they may also be *nearer* to this band, which to Mr. Gupta appears to be useless. I have nothing else to add, except to appeal to the members of the House not to spend their time toying with bands, when there are so many serious social problems which do need the attention, and do require the eloquence and co-operation, of our hon'ble friends on the other side of the House. I will therefore vote against this cut.

The Hon'ble Mr. A. N. MOBERLY: This bunch of motions were practically hardy annuals until last year when they were not moved, and until Babu Bejoy Krishna Bose rose I had come to the conclusion that because they were not moved last year the House had forgotten the previous arguments. He has, however, given a part of the argument which is that from the beginning it has always been regarded as a fact that a body-guard and a band differentiated the Presidency Governor from the Provincial Governor. He has not,

however, quite given the whole history. When the band was started, it cost a good deal more than it costs now. It started on somewhere about a lakh of rupees; then the number was reduced and later the budget provided for Rs. 82,000; then another reduction was made, and more or less by an agreement the expenditure was put at Rs. 70,000 in future, it being held that Rs. 70,000 was the least sum with which a band could be maintained in Calcutta as an orchestra. If that sum were not voted, it would be necessary to get rid of the band as it is now and merely to employ a few musicians, about seven, with a director, to play at dances and to hire a band from outside for other occasions, and the conclusion arrived at at the time was that that would not make very much for economy. Since 1925, when on a supplementary demand the Council voted the balance of that Rs. 70,000, we have kept the figures down below that sum on the average. It is true that in 1925-26 while the process of reduction was going on, it amounted to Rs. 72,082, but it came down to Rs. 69,000 in 1926 and Rs. 64,000 in 1927-28. We have kept our side of the bargain and we hope the Council will keep theirs and allow us to continue with this Rs. 70,000 for the band.

Mr. Bose has raised the question of the band in Madras. As far as I can ascertain, the Madras band is recruited on an entirely different system. It consists of Goanese from Goa or Madras, and I can only suppose that Lord Carmichael when he came from Madras did not consider that the Madras band was all that it should be, because he recruited the band for Bengal in the present Bengal style. As regards Bombay, I am not quite sure what the reason for the smaller cost is, but I fancy that if there are 29 members they are not paid quite as much as the Bengal band and the result is that Bombay cannot get the men and that the band is below strength.

I beg to oppose these motions.

The motion of Babu Amarendra Nath Ghose was then put and a division taken with the following result:—

AYES.

Bagchi, Babu Romes Chandra.
Banerjea, Dr. Pramathanath.
Banerjea, Babu Promotha Nath.
Bannerjee, Babu Jitendralal.
Ghose, Mr. P. C.
Gipsona, Babu Surendra Nath.
Bose, Babu Bejoy Krishna.
Bose, Mr. S. C.
Bose, Mr. Subhas Chandra.
Chakrabortty, Babu Jatindra Nath.
Chakravarti, Babu Jogindra Chandra.
Chatterjea, Srijut Bijay Kumar.
Datta, Babu Akhil Chandra.
Dutt, Babu Saral Kumar.
Ganguly, Babu Khagendra Nath.
Ghose, Babu Amarendra Nath.
Gupta, Mr. Jogesh Chandra.
Himatsingka, Babu Prabhu Doyal.
Hoque, Kazi Emdadul.
Maiti, Babu Mahendra Nath.
Mistra, Srijut Jogendra Nath.
Mukherjea, Srijut Tarakanath.
Rahman, Maulvi Azizur.
Ray, Dr. Kumud Sankar.
Ray, Srijut Radha Gobinda.
Roy, Mr. D. N.
Ray Chaudhuri, Rai Bahadur Satyendra Nath.
Sarker, Babu Naliniranjan.
Sen, Srijut Nagendra Nath.
Sen Gupta, Mr. J. M.

NOES.

Acharjya Chaudhuri, Maharaja Shashi Kanta.
Addams-Williams, Mr. C.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Blair, Mr. J. R.
Casselis, Mr. A.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Clark, Mr. I. S.
Cohen, Mr. D. J.
Dash, Mr. A. J.
Drummond, Mr. J. G.
Eddis, Mr. A. McD.
Faroqui, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Fyfe, Mr. J. H.
Ghose, Mr. M. C.
Ghosh Maulik, Mr. Satyendra Chandra.
Ghuznavi, Alhadj Sir Abdelkerim.
Goenka, Rai Bahadur Badridas.
Gordon, Mr. A. D.
Guha, Mr. P. N.
Hogg, Mr. G. P.
Hosain, Nawab Musharruf, Khan Bahadur.
Hussain, Maulvi Latafat.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan Chaudhuri, Mr. M. Ashraf Ali.
Laird, Mr. R. S.
Lamb, Mr. T.
Maguire, Mr. L. T.
Marr, the Hon'ble Mr. A.
Martin, Mr. G. S.
Mitter, the Hon'ble Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. N.
Mukerji, Mr. S. C.
Ordish, Mr. J. E.
Ormond, Mr. E. C.
Philip, Mr. J. Y.
Prentice, Mr. W. D. R.
Rees, Mr. G. F.
Sarker, Rai Sahib Rebati Mohan.
Sattar, Mr. Abdeel Razak Hajee Abdeel.
Sinha, Raja Bahadur Bhupendra Narayan.
Stapleton, Mr. H. E.
Suhrawardy, Mr. H. S.
Tate, Major General Godfrey.
Thomas, Mr. H. W.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Twynam, Mr. H. J.
Wordsworth, Mr. W. C.

The Ayes being 30 and the Noes 50, the motion was lost.

Mr. PRESIDENT: The motion which was moved by Srijut Bejoy Kumar Chatterjee, does not arise.

The following motions were then put and lost:—

"That the demand of Rs. 70,000 under the head '22A.—Staff and Household of the Governor—Band establishment' be reduced by Rs. 65,000."

"That the demand of Rs. 70,000 under the head '22A.—Staff and Household of the Governor—Band establishment' be reduced by Rs. 29,000."

"That the demand of Rs. 70,000 under the head '22A.—Staff and Household of the Governor—Band establishment' be reduced by Rs. 24,000."

"That the demand of Rs. 70,000 for 'Band establishment' under the head '22A.—Staff and Household of the Governor' be reduced by Rs. 100 (in spite of reluctance of the Council to vote it, the expenditure is increasing)."

Adjournment.

The Council was then adjourned till 3 p.m., on Thursday, the 21st March, 1929, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Town Hall, Calcutta, on Thursday, the 21st March, 1929, at 3 p.m.

Present:

The Hon'ble the President (the Hon'ble Raja MANMATHA NATH RAY CHAUDHURI, of Santosh), in the Chair, the four Hon'ble Members of the Executive Council, and 105 nominated and elected members.

Oath.

The following member made an oath of his allegiance to the Crown:—

Mr. C. W. GURNER, I.C.S.

Obituary Reference.

Mr. PRESIDENT: Gentlemen, I have just now received intelligence that Mr. S. G. Hart, I.C.S., lately Magistrate and Collector of Bankura, is dead. He was a member of the Bengal Legislative Council in 1918 and 1919, when he took an active part in connection with the passing of the Bengal Village Self-Government Act, 1919. He was an expert in all local self-government matters, and was instrumental in establishing Unions throughout the district of Dacca. He served in several districts of Bengal and Assam, and passed a considerable period of his career at Dacca as Magistrate and Collector and Officiating Divisional Commissioner.

With your permission, gentlemen, I propose to convey the condolence of the House to the family of the deceased. I now request you, gentlemen, to show your respect to the memory of the late Mr. Hart by kindly rising in your places.

(All the members then rose in their places.)

Mr. PRESIDENT: Thank you, gentlemen. The Secretary will please take the usual steps.

Mr. J. M. SEN GUPTA: May I, Sir, with your permission, put some short-notice questions to the Hon'ble Mr. Moberly? The Hon'ble Member has agreed to answer them.

Mr. PRESIDENT: Yes.

Questions on short-notice

(to which oral answers were given).

Mr. J. M. SEN GUPTA: Will the Hon'ble Member in charge of the Police Department be pleased to state how many persons were arrested in Calcutta and elsewhere in Bengal in the course of the searches and arrests made yesterday? What are the names of the persons arrested?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. A. N. Moberly): Seven persons were arrested in Calcutta, two in Dacca, and two in Chandpur. The names are: Philip Spratt, Shamsul Huda, Muzaffer Ahmad, Ayodhya Prasad, Dharani Dhar Goswami, Radharaman Mitra, Kishori Lal Ghosh, Gopal Basack, Sibnath Bannerjee, Kalipada Bhattacharya and Gopendra Nath Chakravarti.

Mr. J. M. SEN GUPTA: What Labour Unions are these persons respectively connected with, and what is the nature of the charges against them and the section under which they have been arrested?

The Hon'ble Mr. A. N. MOBERLY: As regards the first part of the question, I am unable to answer it at short notice. The nature of the charges against them is as follows:—

Conspiracy to wage war against the King-Emperor or to attempt to wage war, or to abet the waging of such war.

The section is 121A of the Indian Penal Code.

Mr. J. M. SEN GUPTA: Has bail been granted to the persons arrested, and if not, why not?

The Hon'ble Mr. A. N. MOBERLY: I have no information. The offence is non-bailable.

Mr. J. M. SEN GUPTA: Will the Hon'ble Member be pleased to state under whose authority, whether of the local Government or of the Central Government, have these arrests taken place?

The Hon'ble Mr. A. N. MOBERLY: I understand that the warrant was issued by the District Magistrate of Meerut. As regards the question of authority, I understand this question will be raised in another place to-day.

Mr. JOGESH CHANDRA GUPTA: Do the local Government intend to penalise public-spirited men, who may like to help the organisation of labour for the amelioration of their economic and social conditions?

Mr. PRESIDENT: I am at a loss to make out how this question arises. I disallow it.

Mr. JOGESH CHANDRA GUPTA: May I put another question?

Mr. PRESIDENT: Yes.

Mr. JOGESH CHANDRA GUPTA: Are the Government aware that some of these persons were interested in organising labour for its economic salvation?

The Hon'ble Mr. A. N. MOBERLY: I have already said that some of them are connected with Labour Unions. I am unable to give further information now.

Mr. J. M. SEN GUPTA: Will the Hon'ble Member be pleased to state whether the Government of Bengal were consulted or had any information before these arrests were made at the instance of the Central Government?

The Hon'ble Mr. A. N. MOBERLY: I should prefer not to add to my answer.

Mr. JOGESH CHANDRA GUPTA: Did the Government of Bengal supply any information about the arrested persons before these arrests were made?

The Hon'ble Mr. A. N. MOBERLY: I have answered the questions which were asked, and I desire not to say anything further at present. I have answered these questions at very short notice. Further, it is a matter which is not within the purview of the local Government.

Mr. J. M. SEN GUPTA: Will the Hon'ble Member be pleased to state whether he is aware that some of the arrested persons were produced before the Additional Presidency Magistrate at Jorabagan and that after they had been produced before him, he went into his private chamber telling the pleaders———

Mr. PRESIDENT: Are you asking for information, or supplying information?

Mr. J. M. SEN GUPTA: I am asking for information, Sir.

Mr. PRESIDENT: I thought you were supplying information.

Mr. J. M. SEN GUPTA: I am asking whether it is a fact that the arrested persons were produced before the Additional Presidency Magistrate at Jorabagan and an application for bail was made before him, upon which the Magistrate retired to his chamber, and, after consultation with the police officer present, came back and said that the arrested persons were never produced before him, although they were in fact so produced?

The Hon'ble Mr. A. N. MOBERLY: I have no information.

Mr. J. M. SEN GUPTA: Will the Hon'ble Member kindly inform the House whether the persons who were arrested in Calcutta yesterday were produced before any Magistrate yesterday or to-day?

The Hon'ble Mr. A. N. MOBERLY: I have no information.

Mr. KIRAN SANKAR ROY: Will the Hon'ble Member be pleased to state whether it is a fact that during the searches a book on the life of late Babu Aswini Kumar Dutta and also another book entitled "My Experiments with Truth" by Mahatma Gandhi were seized?

The Hon'ble Mr. A. N. MOBERLY: I have no information.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Member be pleased to state whether the Police seized a copy of Southey's poems?

Mr. PRESIDENT: I do not allow that question.

Unstarred Questions

(answers to which were laid on the table).

Cost of bridges over the canals on the north and east of Calcutta and Tolly's Nala.

87. Babu NALINIRANJAN SARKER: Will the Hon'ble Member in charge of the Department of Irrigation be pleased to lay on the table a statement showing the estimated cost in connection with the bridges over the canals on the north and east of the city of Calcutta and Tolly's Nala, shown separately under the name of each such bridge with details regarding Government and other contributions, grants, if any, made by Government or any other bodies as also the actual amount of expenditure, surrenders and reappropriations made and deficits provided, during each of the years 1925-26, 1926-27 and 1927-28, respectively?

MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur, of Dhanbari): A statement is laid on the table.

Statement referred to in the reply to Unstarred Question No. 67.

1925-26.

Name of canal.	Name of bridge.	Estimated cost of the bridge.	Contribution payable by Government.	Contribution payable by others.	Budget grant.	Actual expenditure.	Surplus.	Deficit.	How surplus utilised or deficit met.	
1	2	3	4	5	6	7	8	9	10	
		Rs.			Rs.	Rs.	Rs.	Rs.		Rs.
Circular Canal (North).	Dum Dum ..	6,73,465	3/5 of the cost plus departmental charges.	2/5 by the Calcutta Corporation and Calcutta Improvement Trust in equal shares.	1,35,000	1,00,000	35,000	..	(a) Reappropriated to other works ..	6,000
									(b) Surrendered ..	29,000
									Total ..	35,000
	Garia ..	63,213	Constructed departmentally ..		No grant .. Rs. 25,000 reappropriated from Alipore and Tollygunge bridges.	8,000	17,000	..	Surrendered ..	17,000
	Alipore Tollygunge.	No estimate sanctioned	Proportion to be paid by Government, Corporation and Improvement Trust. Not yet decided.		1,50,000 / 1,00,000	..	2,50,000	..	(a) Reappropriated to other works ..	1,62,837
									(b) Reappropriated to Kidderpore bridge	5,000
									(c) Reappropriated to Garia bridge ..	25,000
									(d) Surrendered ..	52,000
									(e) Lapsed ..	5,163
									Total ..	2,50,000
	Kidderpore	14,65,797	3/5 of the cost plus departmental charges.	2/5 by Corporation and Calcutta Improvement Trust in equal shares.	No grant .. Rs. 5,000 reappropriated from Alipore and Tollygunge bridges.	5,000	..	5,000	Reappropriated from Alipore and Tollygunge bridges ..	5,000

Circular Canal (North).	Dum Dum ..	6,73,465	3/5 of the cost plus departmental charges.	2/5 by the Calcutta Corporation and Calcutta Improvement trust in equal shares.	No grant .. Rs. 50,000 reappropriated from other works (vide Column 10).	50,000	..	50,000	(a) Reappropriated from Chitpur bridge .. 11,000 (b) Reappropriated from Manicktola bridge .. 39,000 Tota .. 50,000
Ditto ..	Chitpur ..	No estimate sanctioned.	Proportion to be paid by Government, Corporation and Calcutta Improvement Trust not yet decided.		1,00,000	..	1,00,000	..	(a) Reappropriated to M. B. Route .. 55,000 (b) Reappropriated to Midnapore Tekavi 29,000 (c) Dum Dum bridge .. 11,000 (d) Surrender .. 5,000 Total .. 1,00,000
Circular Canal (East).	Bellaghata ..	5,92,000	45 per cent. ..	Proportion to be paid by the Corporation and Calcutta Improvement Trust not yet decided.	60,000	..	60,000	..	(a) Reappropriated to other works .. 54,000 (b) Surrendered .. 5,000 (c) Lapsed .. 1,000 Total .. 60,000
Ditto ..	Manicktola	6,27,363	Ditto ..	Ditto ..	1,40,000	55,000	85,000	..	(a) Reappropriated to other works .. 23,773 (b) Reappropriated to Kidderpore bridge 11,500 (c) Reappropriated to Dum Dum bridge 39,000 (d) Surrendered .. 10,500 (e) Lapsed .. 227 Total .. 85,000
Tolly's Nulla ..	Garia ..	63,213	Constructed departmentally ..		25,000	5,000	30,000	..	Surrendered .. 30,000
Ditto ..	Alipore and Tollygunge.	No estimate sanctioned.	Proportion to be paid by Government, Corporation and Calcutta Improvement Trust not yet decided.		1,00,000	..	1,00,000	..	(a) Reappropriated to other works .. 89,870 (b) Surrendered .. 10,100 (c) Lapsed .. 30 Total .. 1,00,000

Name of canal.	Name of bridge.	Estimated cost of the bridge.	Contribution payable by Government.	Contribution payable by others.	Budget grant.	Actual expenditure.	Surplus.	Deficit.	How surplus utilised or deficit met.
1	2	3	4	5	6	7	8	9	10
		Rs				Rs.	Rs.	Rs.	Rs.
Tolly's Nulla ..	Kidderpore	14,65,797	3/5 plus departmental charges.	2/5 equally by Corporation and Calcutta Improvement Trust.	No grant Re-appropriated from Manicktola bridge Rs. 11,500 (vide column 10).	8,474	3,026	..	(a) Surrendered .. 3,000 (b) Lapsed .. 26 Total .. 3,026
1927-28.									
Circular Canal (North).	Dum Dum ..	6,73,465	3/5 plus departmental charges.	2/5 equally by Corporation and Calcutta Improvement Trust.	..	26,781	..	..	The budget grant of Rs. 3,35,000 (column 6) was redistributed as follows :—
									Rs.
Tolly's Nulla ..	Garia ..	63,213	Constructed departmentally ..		20,000	39,188	..	19,188	Dum Dum .. 32,580
									Garia .. 42,000
Circular Canal (East).	Narkeldanga	No estimate sanctioned.	45 per cent ..	Proportion to be paid by Corporation and Calcutta Improvement Trust not yet decided	25,000	..	25,000	..	Manicktola .. 84,079 Beliaghata .. 55,374 Total .. 2,14,033
Ditto ..	Manicktola	6,27,383	Ditto ..	Ditto ..	1,40,000	84,079	55,921	..	Leaving a balance of Rs. 1,20,967; out of this balance Rs. 1,12,838 transferred to Lower Kumar, Rs. 582 transferred to Calcutta Canals Subdivisional Officer's office and Rs. 6 546 surrendered to the Finance Department, against the final grant of Rs. 2,14,033, as stated above, the actual expenditure is Rs. 2,06,562, (column 7). the balance of Rs. 8,472 lapsed.

Tolly's Nulla ..	Alipore and Tollygunge.	No estimate sanctioned.	Proportion to be paid by Government, Calcutta Corporation and Calcutta Improvement Trust not yet decided.		35,000	..	35,000	..
Circular Canal (East).	Bellaghata ..	5,92 000	45 per cent ..	Proportion to be paid by Calcutta Corporation and Improvement Trust not yet decided.	70,000	55,514	14,486	..
Ditto ..	Chitpur ..	No estimate sanctioned.	Proportion to be paid by Government, Calcutta Corporation and Calcutta Improvement Trust not yet decided		45,000	..	45,000	..
			Total ..		3,35,000	2,05,562		

Motion for an adjournment of the House.

Mr. JOGESH CHANDRA GUPTA: Sir, I ask for leave to move an adjournment of the House on a matter of urgent public importance, viz., the recent arrests and house searches in Calcutta and the province of Bengal. I have obtained the President's permission to move the motion.

Mr. PRESIDENT: I have just now been informed that His Excellency the Governor has disallowed the motion under section 71 (2) of the Bengal Legislative Council Rules and Standing Orders.

Mr. JOGESH CHANDRA GUPTA: On a point of information, Sir. Has any reason been assigned for disallowing this motion?

Mr. PRESIDENT: I think His Excellency has communicated with the Hon'ble Member in charge of the Police Department, and you may put the question to him if you so desire.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Member in charge of the Police Department be pleased to state the reasons, if any, for disallowing this motion for the discussion of a question of public importance?

Mr. PRESIDENT: Is the Hon'ble Member willing to disclose the reasons?

The Hon'ble Mr. A. N. MOBERLY: I have not actually seen His Excellency's order, but I assume that he has disallowed this motion on the ground that it relates to a matter which is not primarily the concern of the local Government.

Mr. JOGESH CHANDRA GUPTA: May I, Sir, put a supplementary question arising out of this question?

Mr. PRESIDENT: No.

Mr. JOGESH CHANDRA GUPTA: You allowed me to put the first question, and so I submit that you should allow me to put this supplementary question also.

Mr. PRESIDENT: Mr. Gupta, I must point out that there was no question of which you had given proper and timely notice, so you have no right to put supplementary questions arising out of it.

Mr. JOGESH CHANDRA GUPTA: Sir, with your permission, I should like to put one question in order to elucidate and understand the position. It is open to the Hon'ble Member to refuse to answer it.

Mr. PRESIDENT: What is it?

Mr. JOGESH CHANDRA GUPTA: The question is this: If people of this province are arrested, is it not a concern of this province?

Mr. PRESIDENT: That is a question which is covered by the answer already given by the Hon'ble Member.

Demands for Grants.

22.—General Administration.

The following motion was called but not moved:—

Mr. P. C. BASU: "That the demand of Rs. 1,00,000 under the head '22A.—Staff and household of the Governor—Bodyguard establishment' be refused."

Maulvi ASIMUDDIN AHAMAD: I formally beg to move that the demand of Rs. 1,00,000 under the head "22A.—Staff and household of the Governor—Bodyguard establishment" be reduced by Rs. 50,000.

The Hon'ble Mr. A. N. MOBERLY: Sir, the mover has given no reason for the reduction of the bodyguard establishment. I have already pointed out before that for the Governor of a Presidency a bodyguard is necessary. The bodyguard in Bengal, as I have pointed out on a previous occasion, has proved very useful on occasions of rioting, as well as in its regular capacity as a bodyguard. The cost is no greater than we can possibly help. We scrutinise every item most jealously, though I may mention here that the cost of the bodyguard is conditioned more or less by conditions in the Indian army, because the men of the bodyguard are recruited from the same type of persons as the Indian Army are recruited from, and we would not be able to get recruits if we were to reduce the pay much below the rates current in the Indian Army.

With these few words, Sir, I beg to oppose the motion.

The motion of Maulvi Asimuddin Ahamad was then put and lost.

The following motions were called but not moved:—

Srijut RADHA GOBINDA RAY: "That the demand Rs. 1,00,000 under the head '22A.—Staff and household of th Governor—Bodyguard establishment' be reduced by Rs. 20,000."

Mr. D. N. ROY and Maulvi ASIMUDDIN AHAMAD: "That th demand of Rs. 3,76,000 under the head '22A.—General administra tion—Staff and household of the Governor' be refused."

Babu KHAGENDRA NATH GANGULY: "That the demand o Rs. 3,76,000 under the head "22A.—General administration—Staf and household of the Governor' be reduced by Rs. 1,00,000."

Srijut BIJAY KUMAR CHATTERJEE: "That the demand o Rs. 3,76,000 under the head '22A.—Staff and household of th Governor' be reduced by Rs. 1,00,000 (on the ground of checkin extravagance and need for economy)."

Srijut RADHA GOBINDA RAY: That the demand of Rs. 3,76,00 under the head '22A.—Staff and household of the Governor' be reduc ed by Rs. 76,000."

Babu MANMATHA NATH ROY: "That the demand o Rs. 3,76,000 under the head '22.—General administration—Staff an household of the Governor' be reduced by Rs. 100 (to raise a discus sion on the high salary, emoluments, allowances and perquisites o the Governor, as also his constitutional position)."

Srijut TARAKNATH MUKERJEA: "That the demand o Rs. 3,76,000 under the head '22A.—General administration—Staf and household of the Governor' be reduced by Re. 1 (to discuss th excessive cost)."

Srijut NAGENDRA NATH SEN: Sir, I beg to move that th demand of Rs. 21,000 under the head "22D.—Executive Council' be refused.

You will see from the Budget Estimate that this detailed accoun No. 22D refers to travelling allowances, etc., of the Executive Council. In moving my motion, I propose to invite the attention of the House to the manner in which the Hon'ble Member in charge of the Rail way Department has sadly neglected his duties in his failure to control Railway administrations in this province, so far as it is within the competency of the Provincial Government; and in doing so, I cannot do better than illustrate my argument by a comparative survey of

the manifold inconveniences and discomforts which the general public have to suffer at the hands of the different Railway administrations. Members of the Executive Council who travel in saloons and first class coaches have absolutely no idea of the discomforts of travelling in Intermediate or 3rd class carriages, and I think that, human beings as they are, they should have some sympathy for, and should show some consideration towards, the general public at large. In Bengal we have three important Railway administrations operating, namely, the East Indian Railway and the Eastern Bengal Railway which are managed by the State, and the Bengal-Nagpur Railway which will be soon going under the management of the Government also. Whenever any question about the administration of the Railway is asked, Government seek shelter by saying that "Railways" is a Central subject and so immune from the control of the local Government. But I think, and I believe, hon'ble gentlemen here will also agree with me, that there are matters which are purely local Government matters, and in which it is idle to expect the Central Government to take any interest whatsoever. Even if it were a Central subject, people can legitimately expect that the local Government, being the avowed custodians of the health and the comfort of the people, are responsible in this matter. Anyone who will make a survey of the Eastern Bengal Railway under the management of Mr. Pearce, the Agent, and Mr. Bocquet, the General Traffic Manager, will not fail to mark the absolute incompetence of these officers to rise to the occasion and keep pace with the efforts made in other directions to provide for the comforts of the travelling public. Nay, during their administration of the Eastern Bengal Railway these estimable gentlemen have only drawn fat salaries and have disappointed the public in everything, and this is so because the Hon'ble Member, who should keep a strict watch over them, has sadly neglected his duties. Fares, speed, and comfort are the three things which vitally concern the people. The fares were enhanced during the war, but while the East Indian Railway and the Bengal-Nagpur Railway have considerably reduced their fares, the authorities of the Eastern Bengal Railway have not yet seen their way to effect any considerable or even substantial reductions. And the Hon'ble Member-in-charge has not raised his little finger to induce the Eastern Bengal Railway authorities to reduce their fares. The 2nd class and inter class fares still stand at 15 pies and 6 pies per mile respectively—a thing nowhere else to be found. The 1st class fares have been reduced from 30 pies to 24 pies, still this is very high in comparison with the rate prevailing on the East Indian Railway and the Bengal-Nagpur Railway.

The 3rd class fares have been reduced from the 15th March in local booking, but this reduction is a bluff and a misnomer. Third class

fares above 150 miles only have been reduced. Now, the Easte Bengal Railway is divided into many sections, the Central and t Southern sections are each less than 150 miles in length. The Easte section is 167 miles long. The terminus of the Northern sectio Siliguri, is 335 miles from Calcutta. The following table will sho the glaring differences in fares as charged on the East Indian Railw and the Eastern Bengal Railway:—

Calcutta to Siliguri (Eastern Bengal Railway)—335 miles.

	Rs.	A.
1st class ...	36	2
2nd class ...	21	6
Inter class ...	9	1
3rd class ...	6	2

On the East Indian Railway the rates are as follows:—

Calcutta to Patna—338 miles; that is 3 miles more than the di tance from Calcutta to Siliguri.

	Rs.	A.
1st class ...	33	10
2nd class ...	16	13
Inter class ...	8	8
3rd class ...	4	7

The Hon'ble Mr. A. MARR: May I rise on a point of order, Sir The local Government have nothing to do with these questions at al

Mr. PRESIDENT: I know that some latitude is always given t the members when discussing a demand for grant for Members of th Executive Council. But your point is that Mr. Sen has touche a Central subject. When objection has been taken he should not g any further in this strain.

Srijut NAGENDRA NATH SEN: May I submit, Sir, that it i in the power of the Hon'ble Member in charge of the Railway Depar ment to induce the Railway authorities to reduce their fares, and tha he has sadly neglected his duty?

Mr. PRESIDENT: Please do not pursue that point. The Hon'bl Member has already pointed out that it is not in his power to dea with a Central matter.

Srijut NAGENDRA NATH SEN: Now about speed. The Central section trains are models in this respect. In 1884, when this section was opened the distance between Calcutta and Khulna was 128 miles *viâ* Ranaghat. In those days, the morning train starting from Calcutta at 7-30 hrs. used to reach Khulna, a distance of 128 miles at 15-18 hrs., that is in 7 hours 48 minutes.

Mr. PRESIDENT: Mr. Sen, you have not given up the point; I quite realise your difficulty with a written speech but you must curtail that portion of your speech.

Srijut NAGENDRA NATH SEN: Very well. The attention of the Hon'ble Member in charge of the Railway Department has often been drawn to this deplorable condition of the Railways, but with no effect. Let the Hon'ble Member-in-charge say what he has done, during the lifetime of this Council and during his tenure of office, to redress any of these grievances. Is he not morally and legally responsible for the ills to which the passengers are put, owing to the negligence of the men of his Department who have got to supervise the working of the Railways?

The other day, the Hon'ble Mr. Marr invited us to visit the Bengal Government Press; to-day, I invite him to accompany me any day that may be convenient to him to enable me to substantiate the above charges. May I ask him to see for himself the condition of the railway carriages especially the lower class ones?

Then, as regards the constitutional question that has been raised by some of my friends, I submit that travelling allowances and hill allowances which are detailed in account No. 22D should be entirely refused. Since the 80's and the 90's of the last century, we have been familiar with a lot of agitation against this annual exodus of the Government to the hills. This exodus has been condemned yearly from the platform and on the floor of this House. If the Members of the Executive Council want to go to the hills, they should pay their travelling and hill allowances out of their own pockets. Why should the tax-payer be charged with the expenses for the comfort of the Members of the Executive Council?

With these few words, Sir, I beg to move this motion.

Srijut RADHA GOBINDA RAY: Sir, the subject has been discussed many times both inside and outside the Council, and many brilliant speeches have been delivered in the past. The system of divided responsibility in the present constitution of our Government has been condemned by all shades of political opinion and parties in the country. When the Reforms were first introduced, the inherent defects of the system were foreseen by the advanced political thinkers

of this country, and they condemned them in no unequivocal voice Those of our political thinkers, who, at the time of the inauguration of the Reformed Constitution, covetous of gold and power, accepted the constitution were very soon disillusioned and made strictures and comments which fully justified the apprehensions of the advanced and extreme thinkers.

Sir, the Executive Councillors controlling the better half of the Government, and the Ministers controlling the weaker half, remind me of the picture of অর্দ্ধনারীশ্বর in our *Puranas*. It is a grotesque combination of two creatures of opposite sexes, as it were, forcibly joined by an external agency to form a complete whole. This unnatural system cannot function well. Autocracy environing and fencing democracy has given rise to " idiocracy," (if I may be allowed to coin the expression), and we have had bitter experience of that.

3-45 p.m.

Sir, this anomalous form of constitution in which Executive Councillors have not the least necessity of obeying the popular will and the Ministers conjoined to them like a wagon attached to a passenger train should be shattered without delay. The responsible Government has no meaning unless the Legislature controls the Executive and the purse. The Executive Councillors sitting tight over there—thoroughly safe in their position—responsible not to the Legislature but to an authority six thousand miles away, have helped to create an atmosphere of hollow dignity, and exhortations during discussions in this Council seem to be like child's cravings. Passing over the budget figures we are arrested in every line by non-voted items. All figures of unnecessary expenditures are saved from our pruning knife and we are allowed to pass it through a region where knife has no function to serve.

The beneficent administration of the Executive Councillors is everywhere palpable and the " sacred charge " entrusted to the care of our rulers have been faithfully preserved. The revenue realised from all sorts of moral and immoral sources are being spent like water to keep up the huge machinery of administration and the " sacred charge " is surcharged with malaria, cholera, kala-azar, etc., and various other types of human ailments.

Sir, the greatest of modern Indian politician, late Deshabandhu Chittaranjan Das, had the political sagacity to see through the anomalous nature of the present constitution emerging out of British diplomacy and he declined to work it out. He whole-heartedly tried to break it down. Personal, racial and communal considerations blighted the national consciousness of many of our countrymen and the wise counsel of our leader has not been acted out in union. This

hybrid constitutional framework in spite of many dashing onrush is still on its foundation, but the days are not far off when it will be shattered out of existence.

Babu KHAGENDRA NATH GANGULY: Sir, the motion which stands in my name runs as follows:—

"That the demand of Rs. 21,000 under the head '22D.—General administration—Executive Council' be reduced by Rs. 2,825."

Sir, this cut is not a substantial cut nor is it a token cut for discussing the policy of Government in this matter. This motion has been actuated with a desire to point out to the Government how to economise its resources. Year after year Government has been treading the primrose path of lavish expenditure. The blue book supplied to us will show that the figure of actual expenditure for the year 1927-28 was Rs. 19,175, whereas the demand for the ensuing year is Rs. 21,000. By moving a cut of Rs. 2,825 my object is to bring the figure of expenditure to the actuals for 1927-28. In other words, if Government could manage their business with a smaller amount in 1927-28, there is no earthly reason why a larger sum is required for this year. I know it is absolutely futile and useless to discuss the general policy in this connection. We have been discussing it year after year and it would be superfluous on my part to say that money saved by economising from these and similar items might very well be utilised for improving the nation-building departments. The Government have been shamefully neglecting all important measures in connection with the removal of illiteracy, in connection with the stamping out of preventible diseases from Bengal and lastly in connection with the improvement of sanitation. But they know how to extort more money for their own convenience and comfort.

I, therefore, move that my modest cut of Rs. 2,825 be accepted by the House.

Babu NALINIRANJAN SARKER: I beg to move that the demand of Rs. 21,000 under the head "22D.—Executive Council" be reduced by Rs. 101 (to raise a discussion on the constitution).

Sir, my object in moving this motion is, I am sure, well-known to all sections and parties in this Council. We have moved it before, and other representatives of the people have done so in the Assembly and other Provincial Councils, but let it not, therefore, be supposed that we have merely fallen into a blind habit or succumbed to a prevailing fashion. I move this cut as a token of the profound dissatisfaction which the people of this province feel with the existing system of Government and of their insistent and imperative demand for its being changed or ended. Further, it is a token of the growing

exasperation of feeling at the total unresponsiveness of the die-hard powers that be to such a united demand. As popular representatives elected to a body which in the proper order of things should be the ruling authority in this province, it is our duty to restate our position and emphasise our demand till the desired consummation is attained. I do not, however, intend to go over the old familiar grounds, or to refer to matters such as the constitution of the Central Government which, it may be urged, do not concern this Council immediately, and thereby start the Hon'ble Mr. Moberly again on the hunt for loop-holes and backdoors by which he may escape our criticism. I propose to confine myself strictly to the problem of the constitution of the cabinet and to those official views in that connection of which Mr. Moberly and his colleagues are the accredited sponsors. And in doing so it is not my desire to repeat the discussion of the academical problem regarding the incompatibility of the dual form of Government by the so-called Executive Council and ministry, since that ground was exhaustively covered by me before in this Council. Moreover, the Government of Bengal is now committed to its own views in spite of the unanimous admission of the failure of the system. I may incidentally mention, Sir, that it is a matter of profound surprise to this House that Government should have thought fit to seek, under every kind of pretext and halting excuse, to retain this dualism as far as they can in our future constitution. It is an open secret, and I ask them to deny if they can, that the Government of Bengal have decided, after the most anxious consideration, to recommend an advance in so-called responsible government but only on condition that safeguards are at present provided for the administration of certain subjects, viz., Political, Appointment, Police, Judicial, Jails, European Education and Finance. This releases only Revenue, Irrigation and a few minor subjects. The advance proposed is, therefore, a mere change in terminology. The names "Reserved" and "Transferred" Departments and "Executive Councillors" may go if only they leave in their place "safeguarded" and "unsafeguarded subjects" "official ministers" and, I suppose, "unofficial ministers."

The proposal may generally be summarised as follows:—

(1) The perpetuation of the principle that there must be safeguards, both within the Legislature and within the Provincial Executive Government.

(2) The safeguard within the Legislature being provided by a second chamber and that within the Executive by the appointment of two official ministers for the safeguarded subjects. These two official ministers out of seven in all will not be responsible to the Legislature.

I refrain from discussing the proposition of the second chamber at the present moment.

(3) The powers proposed to be vested in the Governor are very much wider than those now existing and of a nature which even Mussolini might envy. The Governor will have the power even to suspend the entire constitution in case of certain situations created by the Opposition (meaning practically the Swarajists), including the dismissal at his sweet will and pleasure not only of a minister but the whole ministry if in the opinion of the Governor the safety or tranquility or the interests of the Province demanded such a dismissal. If this be an advance in responsible government, may the heavenly powers defend us!

The Hon'ble Mr. A. N. MOBERLY: May I ask the speaker what the source of his information is?

Babu NALINIRANJAN SARKER: I am not bound to say. He can find it out if he can, or he can contradict me.

I do not propose to repeat the views expressed by the leaders of all Indian parties and communities in every Council and Assembly irrespective of their political creed, in regard to the retention of the irresponsible Executive. Even the Associated Chambers of Commerce who cannot be accused of a hypercritical attitude where this Government is concerned, have declared themselves in favour of the abolition of Executive Councils and the establishment of full responsible government in the provinces. The Executive Council however have gained the ears of the powers that be and hatched unholy plots against our freedom and progress. Instead of rendering service as public servants they have arrogated to themselves the positions of masters, presuming to judge when they should have been content to be judged. In the face of the growing volume of public opinion in favour of according this Council its rightful place in the governance of this Province, the Executive Council has formulated a new scheme with the object of retarding any real growth—much more full growth. And what are the grounds on which they base their ingenious advocacy of what is palpably indefensible? In the first place, the mentality with which the Government of Bengal proceeded to formulate its proposals before the Simon Commission was not at all conducive to statesmanlike plans and schemes. There was the maddening sense of power, the arrogant feeling of superiority over the people of this province whose fortunes are in their hands. They fancied themselves sitting in judgment alike over the work of the Ministers, the parties in this House, the progress of the people, and the promise of future progress of all. As for themselves, the Executive Council have no limit to their egotism. They consider that administrative capacity, efficiency, integrity and leadership are their monopoly. It is a pity that they have been unable to shake off this antiquated idea even after the lapse

of a quarter of a century. It has often been pointed out that these qualities were not the monopoly of a nation or class. The feeling which was most prominent in the minds of the present personnel of Government was not a feeling of concern for the well-being of the Province or the progress of its people but of pique against the Swarajists and of anxiety to retain as much power for themselves as possible. The failure of diarchy which all impartial authorities recognise without grudge or demur, this Government would explain away. They can only harp on the vain regret that if money had been more plentiful, ministers would have done more and reduced the unpopularity of diarchy with the people. But this anxiety to defend ministers does not go so far as to induce them to say a good word about the parties from which they have risen. Their ultimate aim is to establish a carefully built up case for the denial of full provincial autonomy to this Province. Among the political classes of Bengal, they say, there are not many persons who may be trusted to administer the departments on consideration of policy rather than of temporary political or party gain. Even those classes which may now be expected to co-operate in the working of the constitution recommended by the Government are not spared. From them, it is said, we cannot expect men who can discharge the double duty of impartial administration and successful leadership in the Council. And as for the Swarajists they are on a different footing. Government are of the opinion that there is no ground for supposing that its policy will be other than one of permanent hostility to the Government so long as any trace of foreign control remains in the constitution, and this hostility will find expression in constant attacks on the constitution itself. They are also of opinion that the other vital factor lies in the existence of a strong and well organised party which definitely and consistently declines to operate any constitution framed outside India or by any one other than Indians, unless it concedes complete self-determination in both provincial and central affairs. Sir, we, on our part, are grateful to Government for this generous tribute to our ideal of nationalism and the compliments they have incidentally paid to our Swarajist organisations and volunteer work. It is a glowing testimony to the people of Bengal whose voice we echo in this Council as their representatives. It will, I am confident, lead the people to greater endeavours to make their voice heard and their power felt in the legislature. As regards the other parties whom Government condemn as consisting of men unable to lead and maintain their position and incapable of inspiring confidence in their impartial administration, I do not know how they, the unswerving allies of Government, will relish this savoury compliment. It is high time for them to realise the value of their self-respect as assessed in the files of Government for all their sheep-like following of a nod or wink from a Sachse, a Blair or a Moberly. Lastly, Government do not forget in their tirades either the politically-minded public in general or

the press. They are condemned as guilty of attacking the police, the magistracy, the administration of justice and the large body of officials, Indian and European, on whom the work of administration has fallen. The conclusion of all this is that inasmuch as diarchy is unworkable, and the word itself has become unpopular, a new trade mark for diarchy must be designed and advertised as something different from the discredited brand. Sir, I have neither the time nor the desire to answer the allegations that have been made against our popular aspiration in this House and outside. They are so old, so stale and so often answered here and elsewhere, that I scorn to take any more notice of them. But I may in passing refer to a very recent speech of Mr. Moberly in this House in which he referred to his hopes, quickly dispelled by Mr. Gupta's speech, of a change in our policy and wanted to know why we were not in office. Sir, the official views before the Simon Commission gives the reason better even than I can state them. The preponderance of official and foreign elements in the constitution is just the devil with whom we will have no compromise. To this charge of shirking responsibility we have more than once given our practical answer. We Swarajists have rejected the spoils of office it is true but have we not tabled and elaborated many a constructive scheme, only for them to be conveniently ignored by Government in the most approved Coatmanish style. The late Mr. Das made a constructive suggestion on clear and reasonable conditions for the improvement of health, wealth and education, but what have Government or even the ministers done to give effect to it? And since then other schemes have been suggested and even passionately urged in the Council but with no effect on those who were in power. Innumerable suggestions and practical schemes have been made and given by this side of the House in regard to Irrigation, Police, Public Services, Public Health, Education, Agriculture and what not, as is amply evidenced by the proceedings of the Council. Not only were these not taken into consideration but Members, Secretaries and Departmental heads alike failed to give intelligent reasons or replies in connection with them. It was only the other day that the Industrial Development Bill was placed before the House and Government instead of helping this concrete constructive effort, which in the abstract they so loudly welcome, actively helped to put it off. Sir, as I said it is wearisome and painful to recount these facts I deny the right of the Executive Council to judge others and I emphatically denounce their attempt to perpetuate themselves in the constitution. I urge that there can be no greater condemnation of them than this shameless anxiety to stick on like leeches to the constitution, albeit in another name. My object in proposing this cut is to make clear our feelings in regard to the constitution of the Executive Council and the untold harm that such constitution has done and is doing to our political and consequently economical life.

Sir, the spectacle of unfair advantage being taken of an opponent who is down, by the powers that be, is not new in the political history of any nation in the world. Foreign bureaucratic domination in this country is not due to the strength but to the weakness of our people, not inherent but created by the very process of exploitation assisted by such domination. But it requires no undue stretch of imagination to foresee that such weakness will not last for ever. It is already vanishing with the growing self-respect of the people. Such realisation of the self is the manifest expression not only in India but all over Asia. The time is not far distant when the realisation will be complete and even the tears of three hundred millions of people will then create such a deluge that no obstruction will be strong enough to withstand its force. The world will then be with us.

3-45 p.m.

Babu BEJOY KRISHNA BOSE: I beg to move that the demand of Rs. 21,000 under the head " 22 D.—Executive Council " be reduced by Rs. 100 (for failure to meet the present political situation).

Sir, what is the meaning of this token cut? Is it intended that by means of this motion we can touch the members of the Executive Council at all? If we turn to page 85 of the grey book we find that the only items with regard to the Executive Council which are " voted " are the pay of 16 servants, Rs. 3,648, a part of the travelling allowance, namely, Rs. 2,500 out of Rs. 21,500, the hill allowance of Rs. 600 and a miscellaneous item of Rs. 14,500 (I do not know what this item includes.) We cannot only vote on these items but we can vote on a minus item, viz., Rs. 248, namely, from the total of Rs. 21,248 we can vote minus Rs. 248. What is the meaning of this cut? We cannot touch the Executive Council and I cannot touch one of its members just now as he is fast asleep when we are discussing the Executive Council. That is the interest taken in the motion. The meaning of the cut is a very large constitutional question but before I come to the constitutional aspect of the question may I seriously ask the Government what they have done during the last six years to carry out the recommendations of the Retrenchment Committee? In 1923 the Retrenchment Committee reported: " We think it unnecessary to do more than state that a government of seven is not justified by the work that has to be done. *There is no dispute on this point.*" This report is signed by Sir Rajendra Nath Mookerji, Mr. Spry, Sir Campbell Rhodes and others and they say that there is no dispute on the point that a government of 7—of three Ministers and four Executive Councillors—is not justified by the work that has to be done. The case of Government put forward before the Retrenchment Committee was the increase of work on account of the Reforms inaugurated in Bengal. One of the reasons (there are two or three reasons) about this

increase of work was "the material inroad made on the time of the Members of Government by the protracted sittings of the Legislative Council." Is there anything behind this proposition of Government that they have to work very hard because of the protracted sittings of the Legislative Council and therefore seven members are necessary? The Government benches are always without their occupants. When the Legislative Council is in session we know that they work in the ante rooms with their files and even when they condescend to remain here files are beside them and they work on their files so that these protracted sittings do not at all interfere with their work.

With regard to the Ministers most of their time is spent not inside this chamber but outside in the lobby; that is the inroad made upon their time because of the protracted sittings of the Legislative Council!

The second reason given for seven members was "the development of its own resources and devising of a constructive financial policy embracing taxation, etc." During the last five years since the report was published what is the constructive financial policy that has been evolved? I want to know from the Members in charge of Irrigation, of Revenue and of Finance, what is the constructive financial policy which they have adumbrated during the last five years. Nothing of the kind. Therefore the Committee reported "in our opinion there is ample justification for a government of four consisting of two Members of the Executive Council one of whom would be non-official and two Ministers, and this should be the normal and proper strength of the local Government." The Bengal Government considered these proposals and published their opinion upon them and we find in that published report with regard to the proposals on this point "the decision as to the number is vested by rule in the Secretary of State" and therefore they have nothing to do with it. May I ask for information as to whether they had reported to the Secretary of State that there was a general demand for the reduction of the number of Executive Councillors? If it be said that it would require an amendment of the Government of India Act by Parliament what objection was there to such a step being taken? We know that section 101 of the Government of India Act is being amended by Parliament in order to enable the I.C.S. gentlemen becoming the Chief Justices of provinces. It has also been amended lately, so that the Simon Commission might come earlier to India. If for all these little things the Government of India Act can be amended by Parliament, why should it not be amended for the purpose of reducing the number of the members of the Executive Council? In fact did the Government of Bengal at all report to the Secretary of State that the people demanded and even their own committee recommended, a reduction in the number? If they did not do so they failed in their duty to respond to the public demand,

they failed in their duty to take action on the recommendations of a committee appointed by them consisting not of Swarajists or extremists or oppositionists but of members of their own choice, members of the Indian Civil Service and gentlemen who are always in favour of Government. That is the first thing I have got to say with regard to this demand for Rs. 21,000.

About the constitutional issue the question that I want to raise is the old question of the redress of our grievances before we vote the supplies. The Executive Council in Bengal are the younger brothers of the Central Executive Council and since 1924 the national demand was put forward by all sections of the people, by all parties in this country, Hindus, Muhammadans, Liberals, Swarajists in the Legislative Assembly.

4 p.m.

Sir, in this smaller Council here, we had put forward our demand for provincial autonomy. About six years ago, my friend Dr. Banerjea moved a resolution for the transfer of more powers and subjects from the Reserved side to the Transferred side. Sir, we have always met with opposition from the Executive Council because they are the real advisers of His Excellency, and they have not only refused to comply with our demands, but they have put obstacles in our way. The disclosures made to-day by my friend, Mr. Sarker, with regard to the recommendations confidentially submitted by the Government of Bengal to the Simon Commission show how reactionary they are and how they want to keep powers in their hands. One thing that is urgently needed for the Provincial Government is provincial autonomy in which the members of the Government are to be elected by the legislature and to be fully responsible to the legislature. We do not want an Upper House, we do not want an irresponsible executive. We want an executive which will be fully responsible to the people, fully prepared to vote in favour of popular demands. The Executive Councillors will sit tight so long as they can. They must have their pay; they must have their fat salaries. Sir, for the last three or four days we have been hearing a good deal about the "policy" of the Government. The question that is asked is "what is the policy of the Government"? Is there any doubt about it that the policy of the Government is to retain a white-skinned bureaucracy to be supplemented by a few of the brown people who represent no section of the people of Bengal. Sir, have we seen one single member of the Executive Council, one single Minister resigning his seat because he would not agree with the Government. Is it, Sir, because they always agree with the Government? That can never be said.

They want to sit tight over there so that their powers and emoluments might not be disturbed. That is the policy of the Government. Under such a system nothing beneficial can be done. Therefore, until our national demands are satisfied, we have no faith in the Executive Council.

Sir, much has been said about the Simon Commission. I saw an inspired telegram the other day, appearing in the *Statesman* of the 13th March, 1929, from Madras, in which it was said that the Simon Commission would recommend provincial autonomy for Madras and Bombay but not for the other provinces. If that be so, then it is war to death. We know how to assert our rights. You may arrest people, you may send them to jail; but I tell you that their places will be taken up by hundreds of others who will, in their turn, go to jail and suffer and their places will also be taken by hundreds of others till you can no longer like Canute say, "thus far and no farther."

The following motion was called but not moved:

Babu MANMATHA NATH ROY: "That the demand of Rs. 21,000 under the head '22D.—Executive Council' be reduced by Rs. 100. (Constitutional issue arising out of the continuance of the Executive Council as part of the Government.)

Srijut BIJAY KUMAR CHATTERJEE: I beg to move that the demand of Rs. 21,000 under the head "22D. General administration —Executive Council" be reduced by Re. 1 (on the ground of want of confidence in this department and on the ground of protest against diarchy as well as on the ground for need of greater political reforms).

Sir, if there is one opinion on which the different political bodies are unanimous it is the question of greater political reforms in our country. It is not only the Indian National Congress that has demanded year after year in unambiguous terms the birthright of every nation, but all other political groups belonging to different sects, communities and religion, having different political opinions have declared that Indians would not be satisfied unless greater political reforms are introduced in India. All Indians are unanimous that the present political unrest cannot be allayed unless real power of administration be given to the children of the soil. The Montford reforms that have been introduced in this country have failed to evoke any enthusiasm among our countrymen, and even those people, who having moderate views or having no moral courage tried to work the unworkable Reforms have admitted that the working of the Reforms have failed in Bengal.

This wonderful thing known as diarchy has two sides—the Reserved and the Transferred Departments—the Reserved being under

the control and in the charge of persons appointed by His Excellency the Governor—persons on whom the people have no confidence, men who have worked on behalf of the Government against the legitimate aspirations of the people, or some unsympathetic members of the Indian Civil Service are placed in charge of the Department whose only object is to rule India against the interests of the people. All the important departments are in the hands of these persons. The Transferred subjects are placed in charge of persons who though elected are nominated by the Governor and the nominees are in most cases either selfish place-hunters who are professed enemies of the country, or who are idiots or lunatics. False charges have been laid against the Congress party that they have not tried to work the diarchy. We, from this side of the House, have many times repudiated charges levelled against us. We refuse to be a party to a system that gives no real power of control to the people, to a system that does not give real power to control the police, or the executive, power to reduce the high and costly salaries of European officers, and power to prepare a national budget suited to the requirements of the nation. We have no power to give drinking water to the people, to save them from dangerous diseases, to educate them, to feed them and to make them fit for living like human beings and not for dying like dogs and cats in the fields.

We say the Indians will not be duped, you may try to induce some people to submit to you, you may try to rule India against the wishes of the people, but the heart of the people is absolutely sound, and the country has repudiated to be a party to any such system that have not given any real power to the people.

The history of more than 150 years of British rule is a history of a despotism, of a tyranny that is unique in the history of the world. No nation before this placed another nation in such an utter helpless condition, a nation that is dying out gradually. The record of achievements by the British in India is a record of villages ruined, a record of people reduced to a skeleton, a record of lands lying uncultivated and fallow, a record of rivers dying out, a record of ruin of industries, and a record of a people who cannot read and write their names. The English have ruined our lives, our villages, our religion and our culture. We demand greater political reforms because we shall have to live, and it is the intention of God that we shall live. If you stand in our way the result is clear and it is that in this conflict the British will lose and we shall come out victorious.

The following motion was called but not moved:—

Mr. P. C. BASU: "That the demand of Rs. 21,000 under the head '22D.—Executive Council' be reduced by Re. 1."

Dr. PRAMATHANATH BANERJEA: Sir, I rise to support this censure motion. Diarchy has been tried and found wanting. From every quarter of the country,—north, south, east, west,—from every province, the cry is heard—"Diarchy must go." The most moderate and cautious politicians of the country have told us in unambiguous terms that diarchy is unworkable, and the least that can be conceded to the people is full provincial autonomy. Now my friend, Mr. Sarker, tells us that the Government of Bengal has put forward proposals to perpetuate this system which has been pronounced to be a failure and a system full of evil. If this information be correct, then there can be no more disgraceful proceeding. In a secret conclave the members of the Executive Council meet and plot against the people of Bengal! Can there be anything more shameful than to conspire to retard the progress of a people bent upon achieving freedom? If Mr. Sarker's information be not correct, I would request the members of the Executive Council to place all their memoranda and all their correspondence before the Legislative Council so that the Legislative Council may have an opportunity of pronouncing its opinion on those matters.

Sir, everybody who has eyes to see and ears to hear knows that discontent prevails throughout the country. From the wealthiest landlord to the poorest peasant you will not find one single person who is not discontented. And what is the reason for this state of things? Are the people by nature so wicked as to fail to appreciate the advantages of civilised government? The people of Bengal and of India are by nature mild and submissive, and they are always willing to respond to acts of kindness on the part of the rulers. If they have taken up their present attitude, it is because they have been goaded to it by the misdeeds of the Government.

Sir, my friend, Mr. Bose, pointed out that six years ago I moved a resolution urging the transfer of more subjects to the control of the Ministers. That was a comparatively small matter, but has that modest proposal been accepted by the Government, although it was accepted by an overwhelming majority of the Legislative Council? If Government had accepted that resolution, we would have known that the Government was willing to accelerate the progress of the country, however slowly. Instead of doing that the Government has always tried to set back the hands of the clock of progress and is at the present moment trying to sit on the safety-valve. Sir, the seeds of the present discontent have been sown by the Government, and if the Government continue in their present policy, they will have soon to reap the whirlwind, and for this they will have to thank none but themselves.

(At 4-15 p.m. the Council was adjourned for prayers and it reassembled at 4-30 p.m.)

Maulvi TAMIZUDDIN KHAN: Sir, I wish to say a few words on the motion proposed by my friend, Mr. Naliniranjan Sarker. In his speech he raised two issues. One of them is the constitution of the present Executive Council. So far as that point is concerned, in attacking the constitution of the present Executive Council, he has attacked the Government of India Act. I do not know whether this attack on the floor of this House on a Parliamentary Act will be at all effective. My friend, and those of his school of thought, had a grand opportunity of not only attacking the Government of India Act but also of putting a constructive scheme of Indian Reforms before the Simon Commission. But on grounds of self-respect, and probably also on grounds of non-confidence, they did not approach the Commission. Now, this question is put forward before this Council probably with the idea that somehow or other it will reach the ears of the Simon Commission and perhaps they will take note of it. (Cries of " No, No.") This may or may not be the idea, but I think it is the idea in their heart of hearts. If it is the idea, I think it is quite welcome, and though belated it may be of some good to the country.

The second issue which has been raised by my friend is that the present Executive Council should be condemned because of the Memorandum that has been submitted to the Commission by the Government. Sir, I did not know before to-day what are the recommendations of the Government before the Simon Commission, so far as constitutional reforms are concerned. Mr. Naliniranjan Sarker seems to have given us an idea of them. I do not know whether his information is correct or not; but if it is correct, then it appears that the Government have not respected the wishes of this House, as expressed in the resolution moved by Sir Abd-ur-Rahim and carried by an overwhelming majority. The Government seem to be placed in a very embarrassing position. They have hitherto kept their Memorandum quite secret. Now that a challenge has been thrown out to them by Mr. Sarker, I do not know how Government are going to meet it. If, however, we find that the information furnished by Mr. Sarker is not correct, then there is no ground for our supporting this motion. If he is correct in his statement, I think there is good ground for supporting the motion, on the only ground that Government have not recommended to the Simon Commission reforms on the lines suggested by this House. I do not know, Sir, whether I shall support or oppose this motion. My action will depend upon the Government reply.

Mr. W. L. TRAVERS: Sir, the debate on this motion has resolved itself into a debate upon the future constitution. I have been always honest in stating my views upon that subject, and so has the European community in this Province. I think, therefore, that it would be as well if I said a few words on this debate. In doing so, I hope that

my words will not cause any pain to anyone who holds opposite views. First of all, it is an obvious fact that we Britishers are bred in the belief of democratic Government. This is inbred and inborn in us, and it is also a fact, Sir, although I regret to say that that fact is not at present believed, that a very large majority of Britishers in this country, and a very large majority of Britishers in England also, desire most earnestly to grant self-government to the people of this country as soon as they possibly can. Speaking for my community in this Province, there is one unhappy fact which prevents our wholehearted adhesion to the proposals for complete provincial autonomy in Bengal. That fact is the great cleavage which exists between our Hindu and Muhammadan fellow-citizens in Bengal. It is no use disguising facts; they are there and the only way to get over difficulties of that kind is to attempt to overcome them. If the communal tension be removed, as I trust it will be in the near future, the Nationalist Party in this Council will find that we are as ready as they are to go forward. But, Sir, it is also no use disguising the fact that there is trepidation and anxiety amongst the members of my community about the future treatment of British commerce and British trade under an entirely Indian administration. As it is at present we have given our opinion, and it is that there should be complete provincial autonomy in Bengal with the exception of one department which we desire to be retained under the Governor. I would go on to say, Sir, that I have been a member of this Council for many years. I believe there are only two Indian members who have a longer continuous period of membership than I have, and I am very proud of that fact. Sir, from the experience that I have gained of my Bengali fellow-citizens I desire to state that it is my belief that the future responsible government of this country will be a just and impartial administration, giving justice to each and every community. I would conclude, Sir, by saying this: that whatever may be the future constitution of Bengal—whether there is Dominion status, whether there is complete provincial autonomy, or whether there is some modification of it—whatever the constitution may be—I say this, and I say it with emphasis, that we Britishers, we Europeans, in this province of Bengal will do our utmost to make that constitution a success.

Babu JITENDRALAL BANNERJEE: Mr. President, for the partial enlightenment of my friend Mr. Tamizuddin Khan, I may inform him that since 1924 it has been the practice to raise the constitutional issue upon the demand for grant for members of the Executive Council. That was long before the Simon Commission was thought of, long before the personnel of the Commission was decided upon, and long before Sir John Simon had landed in India. It is idle therefore to contend that we raise this question of constitutional reforms

for the edification of the Simon Commission, and as an indirect mea of informing the Simon Commission of our views.

Sir, Mr. Travers has varied his usual style of argument to-da He says that Europeans do not object to the grant of full responsib government to India, but that there is one difficulty in the way. Th difficulty, always trotted out as an excuse by Europeans, is the pe petual feud between Hindus and Muhammadans in this country. B is or is not Mr. Travers aware of the fact that, whatever differenc there might be between Hindus and Muhammadans, they are unite on this common platform that full responsible government should b the future constitution of India? If on this material subject both th communities are agreed, does it lie in the mouth of a third party— does it lie in the mouth of the stranger and the alien—to say that thi form of Government is unsuited to Indians?

There is another argument which has been put forward b Mr. Travers, and in the ingenuousness of which I do not believe Mr. Travers pretended to be concerned about the future of Britis commercial interests. But, Sir, Mr. Travers, as well as all thos British commercial men who are concerned in the matter, may res well assured that, so far as justice is concerned, their commercia interests will be secure under any future form of Indian Government that may be thought of. Sir, even the Nehru Report makes it perfectly clear that no discriminatory legislation will be introduced t the prejudice of European commercial interests. That report has been endorsed by responsible Indian opinion all over the country. What further guarantee, what stronger assurance, can Mr. Travers possibly want? In fact, the concern of the Europeans is not about their legitimate rights, but about those monopolistic privileges which they have been enjoying so long, and for which no guarantee can be given, and no guarantee ought to be given. They will be assured full justice, and nothing more—not an inch beyond what they, in justice and equity, are entitled to claim! No monopoly or preferential treatment as in the past!

Sir, turning to the question itself, I shall support the motion of cut that has been proposed, not upon those abstract considerations which have been so finely urged by my predecessors, but upon certain concrete and specific facts which have arisen in this country within the last 48 hours.

4-45 p.m.

Sir, let the British Government, let the Members of the Executive Council and all concerned, take note of the fact that we have arrived at an impasse, that things have reached a situation where further progress is a matter of difficulty. We who belong to a comparatively

older generation of politicians thought that we might have peace in our time. But we now perceive that Government has launched upon a course which makes peace unthought of within the lifetime of the present generation. Within the last 48 hours, eleven of our young men have been arrested under vague and unspecified charges of general conspiracy to wage war—a laughable and ridiculous charge—and upon which, in answer to persistent questioning, only the most meagre and unsatisfactory information was vouchsafed to us. I do not know what the Government officers think of the 11 persons who have been thus arrested. But we know what sort of men they are—steel-true and blade-straight, men of whom any country in the world might well be proud, men who may be poor in the material resources of the world, poor in health and wealth, but rich in the treasures of the soul, rich in the deep devotion of their patriotic zeal and fervour! We know them all, and we refuse to believe that they have been guilty of such nefarious crimes as have been charged against them. Sir, one of them has been a consumptive patient for the last four years, and confinement for him will mean death, which perhaps the Executive Government desire for most of these people! Sir, it has been said that there is a conspiracy to wage war. I should say that the conspiracy is on the other side—that it is a conspiracy on the part of the Government, a conspiracy on the part of the Members of the Executive Council to hold in *durance vile* as many of the purest and strongest sons of the country as they can manage to take. These eleven persons who were arrested are all of them workers among the multitude—connected with labour and peasants' organisations, concerned specially in the uplift of the poor, and the down-trodden. Is that regarded as a crime in the vocabulary of the Government? Is any step taken for the amelioration of the condition of the country to be regarded as an offence—*les Majeste*—against the British Government? If that is the attitude, let the Government take note that not simply the eleven that have been arrested but the 220 million of British India are all of them equally guilty, that they all proclaim and glory in their guilt, and will persist in the same, despite the measures of oppression that the Government may launch against them (Hear, hear).

Khan Bahadur Maulvi EKRAMUL HUQ: Dr. Banerjea has informed the House that the people of the country have pronounced diarchy to be unworkable. I may inform Dr. Banerjea and the House that if God pleases within two years diarchy will not be in the country but in its place we shall have responsible self-government. Mr. Sarker in discussing the grant has made some startling disclosures. He has informed the House that some members of the Executive Council have conspired together to represent matters in a light which is against the interests of the people of the country. So far as I am

concerned, I do not believe such statements to be true. I feel certain that wedded to the cause of democracy the members of the Executive Council are wedded to the cause of democracy as every Britisher is and ought to be, could they ever think at this stage of the country's progress of rising against democracy and standing against the grant of self-government to the people of this country? We have been told that the Members of the Executive Council have further said that it is only the Swarajists who have got the capacity of governing, while the persons who held the reins of Government were not the fit persons to carry on the administration. I do not believe this statement either. It is a fact known to every member of this House and to the country that it was for want of money that the Ministers were not in a position to carry on the administration, and further when they could, they were hampered by persons—unfortunately persons of their own community. Is it not a fact that on various occasions the House has seen the unedifying spectacle of some members of the Executive Council covertly going against the Ministers? So it is not the Ministers who are to blame, but unfortunately ourselves to blame. We are perfectly sure that the Ministers will have been able at least to show some work and were actually doing some work but they were not allowed to continue in their offices. I feel certain also that even under diarchy persons who want to work at all will be able to show some work and help in the uplifting of the masses. As matters stand, and Government as it is constituted to-day seems to be utterly oblivious to its duty towards the masses. If the Ministers so desired, they could do a good deal to ameliorate their condition. If you take the different branches of the administration now under the Ministers and if you find a person who is willing to uplift the masses of the country, certainly he will be able to do something in the matter of starting co-operative societies in every village, of allowing the cultivators to have water nearby so that when the old nature does not function properly, the efforts of Government in supplying irrigation canals will enable the villagers to meet the contingency and be free from famine———

Mr. PRESIDENT: Is it your point that the Ministers could not do all these things because the Members of the Executive Council stood in their way?

Khan Bahadur Maulvi EKRAMUL HUQ: I have said already that there were persons who were actually acting against them, who were pulling the string from behind. Another startling disclosure that has been made is this that the Members of the Executive Council—the European Members—think that because of their moral delinquency the people of this country are not able to govern their own people. I am afraid that this charge is baseless, and I feel certain that not a

single Member of the Executive Council is base enough to think like that. If there may be persons here and there who are not capable of governing, it is so amongst the Europeans, it is so amongst the Indians and it will be so in every country and at all times, but taking the generality of the people I feel perfectly certain that our countrymen, both Hindus, Muhammadans and Christians, will be able to show their worth when the time comes and when they are allowed the privilege of governing their own people. We have been told that it is not possible to grant self-government, the full measure of self-government to our countrymen because of the differences that exist amongst the various communities in this country. But differences do exist and unfortunately differences are bound to exist as long as we live together. Now, what are the causes of these differences? It is self-interest and self-interest is at the root of all these evils. But, Sir, when we find ourselves possessed of the power of governing our own countrymen, I feel certain that no man, however wrongly inclined he may be, will ever think of doing injustice to a person belonging to another community. I feel certain that if a Christian or a Muhammadan is taken before a Hindu of the present day—I am not talking of Hindus of olden times who recognise nobody else but themselves, but I am talking of the younger generation of Hindus—and if it is left to him to judge and judge properly in the interests of the country, he will not be the person who will judge wrongly. It is the older generation that have different ideas and it is they who are at the root of the differences that exist in the land now. Take for instance a Christian. Do you think he will not be able to deal even-handed justice to the members of the other communities? Speaking of the Muhammadans, I can with pride say that in every walk of life wherever the Muhammadans may be placed———

Mr. D. J. COHEN: On a point of order, Sir. Is all that the member is saying quite relevant to the question under discussion?

Mr. PRESIDENT: What I find is that almost all the speakers have drifted away from the real point. But, I am told that some latitude is given and constitutional issues are allowed to be raised in a discussion like this. I think the member will be relevant if he will properly and more definitely point out the probabilities or improbabilities of the present form of Government with an Executive Council and then show to what extent the Members of the Executive Council were responsible for them, not otherwise.

Khan Bahadur Maulvi EKRAMUL HUQ: So far as the Muhammadans are concerned, I can say with pride that when dealing with their countrymen they would never be open to any criticism by any member of the Hindu or any other community. Wherever they

have to discharge their duties to the Hindu community, they do so, as they have done in the past, without showing the least bias against the other communities. There is no doubt that the Muhammadans as Muhammadans consider it their duty to safeguard the interests of their own community. When they are hampered in this whether by the Hindus or by the Government, they will certainly rise against them. It is unfortunate that the Hindu and Muhammadan communities were not in a position to come to a unanimous decision so far as the matters of Reforms were concerned. As to the main issue they were united, but there were differences in detail. It is unfortunate that the Muhammadans who were slaves only a century and a half ago were not bold enough to say to their Hindu brethren that they would want absolutely nothing from them. They want self-government for the country, self-government for the Hindus, self-government for the Christians and equal treatment for all. It is more unfortunate that the members of the Hindu community who were slaves for many more centuries had not the courage to say "Take whatever you want and take whatever is due to you." But I feel certain that with the grant of self-government we shall be able to say things of that kind and to do good to our countrymen. We have been told by Babu Bejoy Krishna Bose that Government is trying to see that self-government is not granted to Bengal and other provinces——

Mr. PRESIDENT: I am unable to follow you. Are you opposing the Executive Council or supporting it? Why are you referring to the grant of self-government? Is it because the Executive Council is hampering or helping its formation? I am afraid you are talking at random. You do not seem to come to the real point as your remarks have hardly any bearing upon the Executive Council.

Khan Bahadur Maulvi EKRAMUL HUQ: The members of this House want to reject the grant to the Members of the Executive Council. So far as that matter is concerned, it came before the House for the last 8 or 9 years. What I say is this that they have existed and they will exist as long as diarchy exists.

5 p.m.

Why should we harp upon these old things by saying that we must cut down their pay. If we desire to cut down their pay in order to show to the country that we are for economy, then why not cut down the unnecessary expenses that are being incurred in the different branches of the transferred subject over which we have full control. But we won't touch our own people or their pay or their emoluments. Whenever we want to show economy we do so by trying to cut down the expenses by reducing the pay of the Executive Councillors and other

members of the European services. This does not seem to be fair and it may show that we do not mean business. If you are actually fair, cut down the pay of the Ministers, the pay of the higher Indian officers of the other services. Sir, I must say that the Members of the Executive Council to my mind are not hampering the attainment of self-government by our countrymen. If any of them did anything which might be considered as going against the interests of the country, I may say that he or they were wrong and they did so for their own self-interest; but if we get self-government then such Councillors, even like Ali Ahmad Jan of Afghanistan, will feign come back to serve the actual master, the self-governing Bengal.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, various motions have been moved apparently under cover of the constitutional issue, but humbler men like myself find it very difficult to understand the particular issue to which attention is sought to be drawn. For myself, whatever might be my inclination after a study of political facts, I am now convinced that there should be a further grant of political reforms with a view to grant full dominion status to this country. There cannot be any question about that so far as this House is concerned, because once before we have registered our decision that dominion status should be given to us.

Mr. J. CAMPBELL FORRESTER: On a point of order, Sir. Can Members of the Executive Council give dominion status?

Mr. PRESIDENT: I think it will be useful if I give some directions to the Khan Bahadur and also to those who will speak later. In discussing the matter before the House, a plea for dominion status, self-government or national government will be justified provided the members concerned try to prove that the Members of the Executive Council are either helping or are actually hampering the creation of such a government. A member will be out of order if he simply gives an idea as to what such a government should be or how it could be attained without any reference to the present Executive Council. To be more clear and definite those who want to oppose the motion under discussion should try to show that the Members of the Executive Council are really helping the people, and those who want to support it should try to show that they are actually hampering them in regard to those matters. Otherwise any reference to any kind of new Government or to the communal question or such other matters are bound to be considered absolutely irrelevant.

Khan Bahadur Maulvi AZIZUL HAQUE: I fully realise that point of view and I would only ask my friend Mr. Campbell Forrester to wait till I finish my sentence. I brought in the question of

dominion status with a view to show that it is relevant to the constitutional issue. I was making my point in the midst of too many issues brought in over these cuts and it is very difficult for me to understand as to what issue the attention of the House is sought to be directed. My standpoint is this: if the issue be purely confined to the fact that India should be granted further political reforms and that this Executive Council is in one way or other connected with it and if it is found that the Executive Council is standing in the way of our legitimate aspirations, then I would unhesitatingly vote for this motion. My friend Babu Naliniranjan Sarker told us what the Members of the Executive Council did before the Simon Commission. I have not the opportunity of Babu Naliniranjan Sarker of finding out what the Members of the Executive Council did nor have I the information which Khan Bahadur Ekramul Huq possessed as to why the Ministers failed. So far as the House is concerned the fact is that diarchy has not been given a fair trial, and, personally, I think, when I study the political facts, that we have not done all that was possible in the circumstances. For that reason I say that diarchy has not been given a fair trial. My friend—I think it was Babu Bejoy Kumar Chatterji—said that so long as the Executive Council is responsible for advising His Excellency the Governor or otherwise responsible for the appointment of Ministers who do not possess the confidence of the House, they shall be voting for the censure motion. Sir, my friend has given only one side of the picture, but there is another side of it. A major portion of the elected members of the House is not prepared to accept office so long this system exists and so I cannot see how they can say that the Executive Councillors are responsible for appointing Ministers who do not enjoy the confidence of the House.

Mr. PRESIDENT: You are again irrelevant. If you want to discuss diarchy, then you must either show that diarchy is workable with the present Executive Council or that diarchy is not possible on account of the existence of the Executive Council.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, you are rather hard on me. What about those other members who were allowed to refer to these matters some of whom were the very model of aberrations.

Mr. PRESIDENT: Khan Bahadur, I hope it is not a reflection on the Chair, but merely a passing remark. Members on the other side of the House certainly showed greater ingenuity in this respect. (Laughter.)

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, if you exercise a little patience you will find that I may possess the same amount of ingenuity.

Mr. PRESIDENT: If you remember my directions you will have no difficulty.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, in view of your ruling, if the issue is only whether the Executive Council is responsible one way or the other for the present state of things, the position will be much simpler and I will not wait to reply to the remarks made by the other members. We have not been able to do our best with diarchy. Whatever little we have got we have not taken full advantage of. I do not mean to say that for the time being I am not prepared to have more, but I am prepared to make the best use of what we have got and I am prepared to have the best that we can get, and if for that best something more is required I am prepared to fight for it. I hope I have made my position perfectly clear that I do not stand in the way of any further constitutional advancement, but I strongly feel, Sir, that we have not used the machinery that we have already got. What has been the history of the last three years? It has been marked by personal jealousy and intrigues. I would finish by saying that we are more responsible for not getting what we want. I do not say that we are solely responsible for this: there are others, but I do say that so long we do not bring our own house to order, I do not think we should question what others are doing. We should put our own house in order before we blame others.

Babu AKHIL CHANDRA DATTA: Sir, the question before the House is whether the Members of the Executive Council should continue or go: this is the precise issue before the House. I should like to put it like this. The Members of the Executive Council are on their trial on a charge of conspiracy against the entire nation. That is the charge brought against them, and who are the prosecutors? I say the entire Indian nation, and the charges have been formulated and repeated times without number on the floor of this House. I shall not go over those grounds again. There is, however, a new prosecutor now in the person of Babu Naliniranjan Sarker, who has just put his case before the House. He has made some disclosures which have revealed additional charges against the Members of the Executive Council, and from the materials that he has placed before the House, it appears that there is a third party, who, if there is any sense of self-respect in them, will also play the rôle of prosecutor—I mean those gentlemen of the Ministerial party, about whom some reflection has been made by the Bengal Government in their recommendations before the Simon Commission. Now, Sir, it is common knowledge that these gentlemen, for some of whom I cannot say that I have no respect—there are gentlemen amongst them to whom I am prepared to give credit for honest conviction—were tried by the Government as something like pawns for running the administration, and they are at the same

time used as instruments for taking reactionary measures whenever there is a talk of change in the constitution. Now, what has been said of these gentlemen? "There are capable men for running the administration in the Swaraj party, but those gentlemen whose help and co-operation we can expect are lacking in two things: one is the power of impartial administration, and the other is the power of successful leadership." That has been the compliment, that has been the reward given to those gentlemen. I do not mind these personal remarks. What I want to emphasise is this. I wonder if these gentlemen can realise what use the Government is making of them. Now, the greatest argument put forward against any advance being made in the constitution and the granting of responsible government is that the Swaraj party will not accept office, and that so far as the others are concerned, they are worthless. Now, Sir, Mr. Sarker has made some disclosures, and there is a charge of heinous crime against the Members of Government—that of a foul conspiracy against the people of this country. Now, I say, they are in the dock under trial; we want the explanation of the accused; we want to know if the charge laid at the door of these gentlemen are true or false. It is for them to come out with their explanation.

5-15 p.m.

Here are these gentlemen; I wonder if they realise the significance of the fact (I do not think they have any doubt about this fact) that there is intense discontent and dissatisfaction among the people of this country belonging to all classes and communities and holding all shades of opinion. I do not know if they will be pleased to tell us this afternoon if they have realised that there is intense discontent against their administration or if they realise that 30 or 40 years ago there was an idea in the country of something like a Divine dispensation of Providence in the British people coming over here. Rightly or wrongly I say there was a feeling like that and how is it that that feeling has been destroyed? Not only that feeling is gone but they feel that the British administration is not for the benefit of the Indians but for the British people. Do the gentlemen feel that the Indians have lost all faith in the British administration? If they feel it, then the next thing they should ask themselves in their heart of hearts is what is the reason for this change? If it were only a handful of people who thought like that, then it might be said that they are so perverse and unreasonable that nothing will please them. But can you seriously suggest that the teeming millions of this country have all become so perverse that they are all dissatisfied with your administration for nothing. If they realise that, what should be their attitude? Can they deny that they are the servants of the people? If they take up the attitude that they have conquered by the sword and

by the sword shall they retain it it is quite another thing, but they say they are here to govern according to the standard of civilised governments. If the attitude is that you are the servants of the people and that the people are your masters because you eat their salt, you ought to be loyal to the people. Do you feel that you are not loyal to the people? Do you feel that not only in broad points of policy, but in all minute details the people feel that your administration is the administration by exploitation for the benefit of the British people and not for the benefit of the people? I say that if you want to be a civilized government either you must respond to the wishes of the people or you ought to abdicate. Eating the salt of the people you cannot be disloyal to the people. That is the charge brought against you. There was a conspiracy so far as the recommendation to the Simon Commission is concerned. May I take it that on that inauspicious day when they put their heads together to formulate their recommendation to the Simon Commission they had their breakfast, and their dinner with the money of the Indians; having done it with the money of the Indians they were hatching a conspiracy against the Indians! That is the sum and substance of the charge brought against them by Babu Naliniranjan Sarker.

Therefore the question is: if that is the attitude of the British administrators can you reasonably expect in view of the disclosures made that we shall be so dead to all sense of self-respect, to all sense of national interest that we should accept you as our saviours. Whether we can remove you or not that is a different matter. But the question is what is our duty and what should be our attitude to this hoary-headed institution of the Executive Council?

Let us take one particular instance—the fact of these recent arrests. Can it be said, although no replies have been given by Mr. Moberly this afternoon, that there is any evidence against them?

Mr. PRESIDENT: Mr. Bannerjee had an elaborate discussion over these recent arrests.

Babu AKHIL CHANDRA DATTA: I should like to say one word on this question of arrest and that is this. Is it suggested that these arrests were made without the knowledge of the Members of the Executive Council so far as the arrests in Bengal are concerned. If that is so this again is a point on which we should like to have an explanation. Were they consulted or were they not? If they were consulted what was the advice they gave, and until we hear that we cannot pronounce any judgment on their responsibility of these arrests.

Mr. Travers has said that the attitude of the Britishers is quite sympathetic but the only trouble is the Hindu-Muhammadan question. May I remind him again that when sometime ago in this House Sir Abdur Rahim moved a resolution for the granting of dominion

status to India, there was no difference of opinion between the Hindus and the Muhammadans. Did not the Hindus and Muhammadans vote for it without exception? There may be a thousand and one matters in which the Hindus and Muhammadans are not at one but that is absolutely irrelevant when we are talking on this particular question. So far as this particular question is concerned there is no difference of opinion between the Hindus and Muhammadans. That is the whole point. When for fighting the battle of Swaraj the people are prosecuted and arrested the Hindus alone are not arrested, the Muhammadans are also arrested. So on that question there is no difference of opinion between the two communities. I must say the British people only shed crocodile tears for us and we are not disposed to accept their assertions of sympathy without a grain of salt.

Mr. JOGESH CHANDRA GUPTA: I will not take up the time of the Council by dilating on any of the points that have hitherto been discussed. I shall simply try and sum up in my own way some of the points that have been urged against the Executive Council.

I shall first take up the charge that has been so clearly and definitely made by the co-operating section, before I enumerate the charges that the non-co-operating section of this House have made. The charge has been definitely laid down that ministers have not been allowed to remain in office by some kind of covert action—if I remember the words aright—of some of the Members of the Executive Council. One of the supporters of the late ministers as also of the previous ministry has said that it was due to the action of some Members of the Executive Council that they could not remain in office. That is the charge that has been made by the co-operating section.

As regards this side of the House we have always felt and we have always said that the co-operation of this side of the House was made impossible because though Lord Lytton referred to the Executive Council Mr. C. R. Das's loan scheme—a scheme of constructive co-operation—it is a public secret, if I may say so—that scheme was strongly put down by the Finance Member of the Executive Council who refused to release his control over the purse for what was meant to be employed on the nation-building departments.

In the next place we know that just as the co-operating section has felt that when they do not like the ministers they see that votes are not cast in their favour, similarly, we on this side of the House know to our great difficulty that the people who are willing to vote for a motion of no-confidence cannot do so because of the Members of the Executive Council. We know that people who have given decided opinion against this or that motion of no-confidence which has been brought forward are at any rate neutralised not by persuasion but only by the presence of Members of the Executive Council.

The next point that I have got to urge is this: I cannot say how busy they are now when they have got to dispose of the files of the transferred departments, but we know that there is little work to keep all the four Members of the Executive Council wholly occupied. It is within recent memory that a Chief Secretary to the Government used to advise the Governor and carry on the government. I do not think that since the introduction of four Executive Councillors there has been any improvement in the despatch of Government business or any improvement in the policy that is being followed at present. With regard to the responsibility of the Executive Councillors much has been said but I do not know whether a reference has been made to the incident that took place at Sraddhananda Park. Of course I may tell you that I am very grateful to the Members of the Executive Council and to Sir Charles Tegart for whom I proposed a hearty vote of thanks at a public meeting for the performance of this deed. But that is from my personal point of view———

Mr. PRESIDENT: What has this got to do with the Executive Councillors?

Mr. JOGESH CHANDRA GUPTA: Only to show that the Executive Council is irresponsible. However I will not dilate on that point any further.

In casting the vote when the division bell rings, I hope my friends the two Khan Bahadurs who have spoken from the other side will act up to their words. It is no good standing up to say, "Oh, this is the defect." People sitting on the fence never do any good. It is better to know what their definite opinion is. If they think that the Members of the Executive Council have in any way hampered either the Ministers or any of their work it is their clear duty to walk to the same lobby with us. I expect the ex-ministers themselves and the supporters of the ex-ministers who have definitely said that the Executive Council Members did not help the ministers to remain in office, will vote with us in the same lobby and carry the censure motion.

5-30 p.m.

If they are true in their conviction and to what they have said in the Council, they must vote with us to-day.

Khan Bahadur Maulvi AZIZUL HAQUE: On a point of personal explanation, Sir. My friend Mr. Gupta associated my name with a certain statement which I never made.

Mr. J. CAMPBELL FORRESTER: Sir, I have been in touch with the Executive Council for the past nine years, and I must say that I

look upon them as political missionaries—political missionaries in patience, endurance, courtesy and sympathy, and they have tried to teach what is honest government, how to govern honestly. I have also found that unfortunately a good deal of their time is taken up by trying to help "lame dogs over a stile," the lame dogs being the Ministers. If the Executive Councillors are lacking in anything, they are lacking in imagination. I think a great deal of good can be done in this country if they allow their imagination to have a little more play. Their outlook is cramped because their vision is clouded by an enormous amount of files that surround them and obscures their vision. They are overburdened with work. Whatever may be said against the Executive Councillors, it must be admitted we always find them smiling, courteous and ready to assist in any way they can. I am glad to have this opportunity to pay my little tribute to the Executive Council for their urbanity of manner and their desire to help those who are trying to help the country.

Maulvi ABUL KASEM: Sir, I did not want to take part in this debate but for a statement that has been made that the Executive Council Members ought to be condemned because they stood in the way of the Ministers helping them to remain in office or not. I submit, Sir, that it is neither the business nor the duty of the Executive Council to help the Ministers to remain in office, and I can say this much that the Ministers themselves never wanted the Members of the Executive Council to help them. The Ministers remained in office without any doubt on their own popularity, and I can say, Sir, from my own personal knowledge that although the Executive Councillors did not go out of their way, as they should have done, to help the Ministers, they did nothing to stand in the way of the Ministers remaining in office. They gave them their moral support and passive help; active help they could not justifiably and reasonably give.

There is another charge brought against the Executive Council, that they have been arresting people, sending people to prison without rhyme or reason. This charge may be true or it may be false. Reference has also been made to the Sradhananda Park incident. In this connection I may say, and I hope my friends will bear me out, that there is a constant agitation in the country. People are angry for not being arrested and are taking steps to get arrested. Cheap martyrdom and cheap patriotism has to be gained by being arrested and detained in the police station or being sent to jail where many of them are very comfortable. This has caused a craze in a certain section of the people and these people are ready to take such measures or steps by which they can see their way into His Majesty's prison and to be His Majesty's guest. Certainly, Sir, the Executive Council Members here and elsewhere are not a model people and they are doing what every people will expect

them to do; whether they are good, bad or indifferent, they are doing their duty better than we have been doing ours. We have been neglecting our duty much more than the Members of the Executive Council. We have been told that in this Council there are two sections—the co-operating and the non-co-operating sections. I want to know which is which. As regards the section which professes to be non-co-operators, I saw them here co-operating with the Government during the discussion on the Bengal Tenancy Amendment Act; I saw them co-operating with the Government when I asked that the Calcutta people should be taxed for the benefit of the rural people. Sir, non-co-operation is a slogan to be used to capture public imagination and dupe the people. I think those people who try to submerge authority and whose only business is thereby to gain popularity by getting into the limelight deserve more condemnation than the members of the Executive Council.

Babu MANMATHA NATH ROY: May I now speak, Sir.

Mr. PRESIDENT: I have already called on the Hon'ble Mr. Marr to speak, but if he yields in your favour I have no objection.

The Hon'ble Mr. A MARR: I have no objection.

Babu MANMATHA NATH ROY: Sir, in supporting this motion I do not want to repeat the arguments which have already been made in support of it. I would restrict myself to one ortwo aspects which strike me at the present moment. Sir, the principal point which I wish to bring before the House is that the present policy of the Government—and I call it a policy of terrorisation and strangulation—cannot succeed long. The English people are noted for their wisdom and for their shrewdness, but the impression that is left in me as a result of the recent incidents —the arrest of Mahatma Gandhi and Mr. K. S. Roy, at the Sradhananda Park, the indiscriminate orders throughout the Presidency forbidding the bonfire of foreign cloth, and the wholesale arrests made yesterday morning—is that those acts of the Government are wholly unnecessary, idiotic and foolish because they cannot suppress the discontent———

The Hon'ble Mr. A. N. MOBERLY: On a point of order, Sir, may I suggest that all these cases are *sub judice*.

Mr. PRESIDENT: I must first point out to Mr. Roy that when one wants to refer to a whole people, it is particularly desirable from the Parliamentary point of view that his language should not be improper or abusive. As regards the Hon'ble Member's point of order, I do not want Mr. Roy to refer to cases which are still *sub judice*.

Babu MANMATHA NATH ROY: These incidents following one another in such rapid succession cannot but leave that impression in our minds and one cannot help referring to them although some of the incidents may be *sub judice* now.

Sir, the Government must have the foresight to see that strangulation and terrorisation may succeed with an individual, but it cannot succeed with the whole country and with the whole nation. It is no prophecy, but I may say, Sir, that the Government by its own deliberate acts is hastening the day of judgment when the Government will have no option but to recognise the rights of freedom of the people of this country.

The Hon'ble Mr. A. MARR: Mr. President, Sir, I have only a few remarks to make. I do not think this House will expect me to discuss the morals of the Executive Council which seem to be suspected by some of the members; and I confine myself to two or three points which have been raised in the course of the debate, leaving the other points to be dealt with by my colleague.

The speech of Babu Nagendra Nath Sen related altogether to the working of the three principal railways coming to Calcutta, *viz.*, the E. B., B. N. and E. I. Railways, and he took me to task as Hon'ble Member in charge of Railways in not keeping a strict control over the administration of these railways. I contend, Sir, that the whole of his remarks refers to the Central administration of these railways, over which I have no control whatsoever. In order to prove my point I should like to refer to item 5 (*a*) of Schedule I, Part I of the Devolution Rules, *viz.*,—Railways and extra-municipal tramways—in so far as they are not classified as provincial subjects under entry 6 (*d*) of Part II of this Schedule, *viz.*, light and feeder railways and extra-municipal tramways in so far provision for their construction and management is made by provincial legislation,—are Central subjects. From this it will be seen that apart from the latter three subjects everything else under this head is Central under the Government of India Act.

Mr. Sen complained about the fares, speed and comfort of the trains, especially of the trains on the Eastern Bengal Railway, and he compared the B. N. and E. I. Railways favourably in this connection. I contend here again that these are subjects over which the local Government have no control whatsoever. The Railway Board, however, realising that it is advantageous to have local opinion have got the Government of India to agree to Advisory Committees, which are nominated by local Governments being attached to each of these three Railways. That has been done and I think the Agents of the Railways concerned will agree with me in saying that they have got valuable advice from these Advisory Committees as regards local conditions.

Now I contend, Sir, that every item mentioned by Mr. Sen was a subject appropriate to be raised before the particular Advisory Committee.

The local Government is consulted by the Government of India through the Railway Board as regards new construction, extensions and modifications of railways, and we always before replying to the Railway Board in these matters attempt to obtain the local opinion. Last July I had a conference of all the Agents of railways in Bengal and we discussed the new programme for construction and improvement of railways. The minutes of that discussion went to the Government of India. That is how we are consulted; but as regards the actual administration this must always be controlled by the Railway Board, and I suggest that these complaints of Mr. Sen's may be laid by him before the local advisory committees.

Mr. Bejoy Krishna Bose mentioned the Retrenchment Committee of a few years ago. I may refer to this because as Financial Secretary I had to deal with it. Before that Committee was ever appointed, we realised that there would be a tremendous slump in our revenues even after the taxation Bills were passed. Government appointed the Retrenchment Committee to go over the whole ground and to make a report. But long before that report was submitted Government had passed orders on certain items where retrenchment could be made at once.

5-45 p.m.

When that report was received, Government eliminated those points on which orders had already been passed, and accepted certain recommendations of the Committee. As certain other recommendations, however, Government found, after very careful consideration, that they could not be accepted.

The last point I wish to refer to, Sir, is a remark made by Mr. J. C. Gupta. I was not quite sure whether he was referring to the constructive programme which the late Mr. C. R. Das laid down in this House. At any rate, Mr. Gupta said that the Finance Member refused to release his control of the purse to carry out the constructive programme. I may tell you, Sir, that I have no such power whatsoever. A decision like that can only be come to by Government as a whole.

The Hon'ble Mr. A. N. MOBERLY: Sir, my task of replying to this debate has been considerably lightened by Mr. Marr, whose remarks I entirely endorse. There is a bunch of motions that I have to reply to. The first three are for total refusal. Now, the demand under the head " Executive Council " is for 16 servants, their travelling and halting allowances and some miscellaneous expenditure. It

was suggested by the movers of these motions that these servants should pay their hill and travelling allowances from their own pocket. Sir, that would be most unfair. I hope, therefore, the Council will not look at these lump cuts.

The next one No. 201, I submit, is entirely inadmissible, because it is based on an arithmetical error. In doing his subtraction, Mr. Khagendra Nath Ganguly has made an error of Rs. 1,000; the cut should have been for Rs. 1,825 and not for Rs. 2,825. His chief objection, as far as I was able to understand him, was that we saved a little money in 1927-28. Well, we always try to save, and if we can save any money in 1929-30, we shall be very pleased indeed, and I hope he will take it in good part. I hope that the Council will not press these motions at any rate.

The remaining cuts are more or less token cuts of small amounts. It has become the custom, as has been pointed out by previous speakers, to use this demand for the servants and miscellaneous expenditure of the Executive Council to run a tilt against the constitution. I am not complaining about that. But I do not think that the Council seriously expect me to go into the ramifications of their objections to the present Members of the Executive Council, because what they seem to be chiefly complaining about is the constitution. If we were to resign, I am afraid four more Executive Councillors would at once be appointed and it would not do any particular good. On previous occasions we have been specifically accused of specific misdeeds. On this occasion, the only charges against us relate to certain criminal cases which are *sub judice*, and to which I do not think that I should refer, although I made very little objection to the eloquence of the members who referred to them. As regards the alleged recommendations of the Bengal Government to the Simon Commission, any memoranda that were submitted were confidential documents, and the Bengal Government are not at liberty to disclose anything contained in these documents without the sanction of the Simon Commission. I do not know how my friend got hold of the documents from which he read, and I asked him, but he was ashamed to tell me (A VOICE: Family secrets).

Mr. D. N. ROY: Are you ashamed to deny?

The Hon'ble Mr. A. N. MOBERLY: In view of the confidential nature of the memoranda I am not at liberty either to admit or to deny. Now, Sir, we come to the question of the constitution. The constitution, as has been pointed out on previous occasions, is laid down in the Government of India Act, which is an Act of Parliament. It is not in the power of this Government or of the Government of India to alter it. As has been pointed out by Maulvi Tamiruddin Khan, the

movers of these motions had a grand opportunity of voicing their objections to the Members of the Executive Council. They deliberately refrained from taking any action of the kind in the proper place and now they are trying to ventilate their grievances here. I do not propose to take up any more of the time of the Council, as there are many more motions to come up. I will therefore resume my seat after formally opposing all these motions.

The motions of Srijut Nagendra Nath Sen and Babu Khagendra Nath Ganguly were then put and lost.

The motion of Babu Naliniranjan Sarker was then put and a division taken with the following result:—

AYES.

Afzal, Maulvi Syed Muhammad.
Atiquilah, Mr. Syed Md.
Bagchi, Babu Rames Chandra.
Banerjea, Dr. Pramathanath.
Banerjee, Babu Promotha Nath.
Bannerjee, Babu Jitendralal.
Basu, Babu Sasi Sekhar.
Basu, Mr. P. C.
Biswas, Babu Surendra Nath.
Bose, Babu Bejoy Krishna.
Bose, Mr. S. C.
Bose, Mr. Subhas Chandra.
Chakrabartty, Babu Jatindra Nath.
Chakravarti, Babu Jogindra Chandra.
Chatterjee, Srijut Bijay Kumar.
Chaudhuri, Maulvi Nurul Huq.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dutt, Babu Saral Kumar.
Ganguly, Babu Khagendra Nath.
Ghose, Babu Amarendra Nath.
Gupta, Mr. Jogesh Chandra.
Himatsingka, Babu Prabhu Dayal.
Hoque, Kazi Emdadul.
Huq, Mr. A. K. Fazl-ul.
Khan, Babu Debendra Lal.
Maiti, Babu Mahendra Nath.
Maitra, Srijut Jogendra Nath.
Mukerjea, Srijut Taraknath.
Nasker, Babu Hem Chandra.
Pal Chaudhuri, Mr. Ranjit.
Rahman, Maulvi Azizur.
Rahman, Maulvi Shameur.
Ray, Dr. Kumud Sankar.
Ray, Srijut Radha Gobinda.
Roy, Babu Manmatha Nath.
Roy, Dr. Sidhan Chandra.
Ray, Mr. D. N.
Roy, Mr. Kiran Sankar.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarker, Babu Naliniranjan.
Sen, Srijut Nagendra Nath.
Sen Gupta, Mr. J. M.

NOES.

Acharjya Chaudhuri, Maharaja Shashi Kanta.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Blair, Mr. J. R.
Casselis, Mr. A.
Chaudhuri, Khan Bahadur Maulvi Hafizar Rahman.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Choudhury, Maulvi Khorshed Alam.
Clark, Mr. I. A.
Colson, Mr. D. J.
Dash, Mr. A. J.
Drummond, Mr. J. G.
Eddis, Mr. A. McD.
Farequi, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Fyfe, Mr. J. H.
Ghose, Mr. M. C.
Ghosh Maulik, Mr. Satyendra Chandra.
Ghuznavi, Alhadj Sir Abdelkerim.
Goenka, Rai Bahadur Badridas.
Gordon, Mr. A. D.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Habibullah, Nawab Khwaja.
Haque, Khan Bahadur Maulvi Azizul.
Hogg, Mr. G. P.
Hosain Nawab Mucharruf, Khan Bahadur.
Huq, Khan Bahadur Maulvi Ehraamul.
Hussain, Maulvi Latafat.
Jenkins, Dr. W. A.
Kasem, Maulvi Abul.
Khan, Mr. Razaur Rahman.
Laird, Mr. R. D.
Lamb, Mr. T.
Maguire, Mr. L. T.
Marr, the Hon'ble Mr. A.
Mitter, the Hon'ble Sir Provash Chunder
Moberly, the Hon'ble Mr. A. H.
Mukerji, Mr. S. C.

Ordish, Mr. J. E.
Philip, Mr. J. Y.
Prentice, Mr. W. D. R.
Rahman, Mr. A. F.
Rahman, Mr. A. F. M. Abdur-
Rauf, Maulvi Syed Abdur.
Ray, Babu Surendra Nath.
Rose, Mr. C. F.
Roy, Mr. Bijoy Prasad Singh.
Sarker, Rai Sahib Rebati Mohan.
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur.
Solaiman, Maulvi Muhammad.
Stapleton, Mr. H. E.
Tate, Major General Godfrey.
Thomas, Mr. H. W.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Twynam, Mr. H. J.
Wordsworth, Mr. W. C.

The Ayes being 43 and the Noes 58, the motion was lost.

The motions of Babu Bejoy Krishna Bose and Srijut Bijoy Kumar Chatterjee were not put as they were covered by the foregoing decision of the Council.

6 p.m.

Mr. P. C. BASU: Sir, I beg to move that the demand of Rs. 64,000 under the head " 22E.—Ministers—Minister for Education " be refused.

This matter, Sir, is not a new thing for this House: it has been thrashed threadbare in this Council during the last 6 years and I think the members of this House will agree with me when I say that diarchy is dead, although the Government in their obstinacy have, through the Hon'ble the Finance Member, again put the salary of the Ministers in the budget. From the experience of the last two years, I think, every one in this House will agree that there should not be any ministry in the province of Bengal. The other day Mr. Travers representing the European group in this Council made the announcement that it was the last time the European group was going to support any ministry. In spite of that assurance, in spite of that statement from the head of the European group, the Hon'ble the Finance Member has again placed the salaries of Ministers in the budget. Every one will agree that diarchy is no longer living. Every one will agree with me when I say that persons belonging to every section of political thought, be they moderates, be they Swarajists, be they ultra loyalists, condemn diarchy. In spite of that, year after year, for the last six long years provision has been made for the salaries of Ministers, although we have in this Council ample proof that there is no necessity for this costly sham. Sir, I need not trouble the members of this House with the history of ministry in Bengal. What happened the members of this House all know. The Joint Parliamentary Committee of the Lords and Commons of Great Britain definitely laid down that in the matter of selection of Ministers, the person who has got the majority or who can lead a section of the House should be appointed Minister. Here, my honourable friend, Sir Abdur Rahim, announced in this Council in 1927 that in the present state of affairs there cannot be any decent ministry, when there is the Swarajist opposition, and I definitely say on behalf of our party that so long as diarchy is not ended, there will

be opposition from this section of the House; but in spite of that the obstinacy of the bureaucracy has not ceased to operate and they have again provided for the pay of the ministers in the budget. They are fully aware of Mr. Travers's declaration that they are not going to support any more ministry and they are fully aware of Sir Abdur Rahim's declaration that there cannot be any decent ministry in this province.

With these words I commend my motion for the consideration of the House.

Maulvi ASIMUDDIN AHAMAD spoke in Bengali, the English translation of which is as follows:—

"Sir, I rise to support this motion. The subject of this motion has been discussed in this House for the last three years, it has been rejected once or twice and nearly two-thirds of the elected members of the House have always voted against the motion for the ministers' salary. The motion of no-confidence is tabled three or four times a year. All this indicates that the people do not want ministers or diarchy. Arguments which are used by my friends against diarchy every year are similar in character and the subject is of constitutional importance.

An elected member who is appointed a minister has responsibilities to his constituency as a member and responsibilities to the people of Bengal as minister. Can the ministers say what they have done as regards their responsibilities to the country? Unfortunately there are no ministers in their seats. Had they been present there I would have asked them what had they done for the country.

I am asked to confine my remarks to the Education Minister. I do not know that in the matter of education we have secured more advantages as the result of the introduction of the Reforms. At the present time, the inspecting staff of the Government pronounce a school to be good if only it has a good exterior, *i.e.*, they base their judgment on the architectural beauty of the school buildings or other considerations of this nature. If Dr. Jenkins were in his seat, I would have asked him why he took away when he was Inspector of Schools of Chittagong Division, the affiliation and grant-in-aid of the Paschimgaon Badarennesa High School in Tippera. The authorities of the school somehow managed to keep it alive at great sacrifice during non-co-operation days. For 30 years the school has stood on a healthy place on the bank of a river and the building faces south. It was inspected by the ex-Minister Nawab Musharruf Hossain. I want to know what has been done about the school? In many other cases, private schools have been deprived of affiliation and grant-in-aid. Tuition fees of both Middle English and High English schools have been enhanced to such an

extent as almost to prevent the poor tenants from sending their children to school. The monthly grant-in-aid to a Primary school does not in any instance exceed Re. 1-8 and Rs. 2. Neither the Education Minister nor the Hon'ble Member-in-charge has done anything to remedy this state of things. So I request my friends to consider these questions carefully before they cast their votes on this motion. I do not wish to say anything more on this motion, I shall discuss other matters when the other motions in my name are moved."

(At 6-15 p.m. the Council was adjourned for prayer and it reassembled at 6-30 p.m.)

The following motions were called but not moved:—

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 64,000 under the head '22E.—Pay of Minister for Education' be reduced by Rs. 36,000."

Babu NALINIRANJAN SARKER, Babu AMARENDRA NATH GHOSE, Mr. P. C. BASU, and Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 64,000 under the head '22E.—Ministers—Pay of the Ministers for Local Self-Government' be refused."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 64,000 under the head '22E—Pay of Minister for Local Self-Government' be reduced by Rs. 36,000."

Mr. D. N. ROY and Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 1,28,000 under the head '22E.—Ministers—Pay of Officers' be refused."

Babu JOGINDRA CHANDRA CHAKRAVARTI: I beg to move that the demand of Rs. 1,50,000 under the head "22E.—Ministers" be refused.

Sir, this question of the ministers' salaries has been discussed on the floor of this House so many times and the arguments for and against this point have been put forward so many times that I do not think I should be usefully taking up the time of the Council if I were to go over the same grounds again. So far as I myself or, for the matter of that, the members of my party are concerned, it is perfectly well known that we are definitely pledged against diarchy and that we have been trying all along consistently and systematically to refuse the salaries of ministers to the best of our ability. Sir, it was only the other day that the ministry was buried and to-day we are asked to consider whether we should vote the salaries for two ministers including their establishment charges amounting to Rs. 1,50,000. I will,

Sir, to be short, approach the question from a point of view which to my mind seems to be one which will enable all the members present in this House to consider as to whether, irrespective of any question whether we are constitutionalists or anti-constitutionalists, it is worth our while to vote on this item of ministers' salary. Sir, when we look at the constitution of the present House and the members who constitute it, what do we find? We find that there are several groups in this House, the most important of which is perhaps the Congress group. As I have said, it is useless for me to repeat to you that the Congress group is definitely against diarchy and it will not vote for the salary. As regards the other groups there are certain gentlemen who always think it to be their duty to support all motions coming from the side of Government, irrespective of their merits or demerits. I do not therefore hope very much from them. But there are others and there is one group the leader of which has assured us more than once that it would be impossible, so far as the present Council is concerned, to have a stable ministry so long as the Congress group does not support the ministry. The leader of this group assured us many times that if any attempt were made to reinstate the ministers that group would not support it. If that be so, it would be for them to consider as to whether they would be ready to vote this demand for ministers' salary. There is another group which always talks about the constitution and which tells us that although the present constitution may not be a suitable one yet they are prepared to work it for what it is worth. During the course of the debate on the Executive Council my friend Khan Bahadur Maulvi Ekramul Huq said that the ministers could not work properly because this is the reason he gave—they had not got sufficient funds to work with. Well, Sir, I ask my friends opposite, to consider as to whether in view of the present constitution and the present policy pursued by Government it would be possible in the year 1930 or 1931 for the ministers to get sufficient and adequate funds to work with. If they sincerely believe that to be possible let them vote for this item. Those gentlemen, therefore, who are not anxious to accept ministry only for the pay, prospects and the honour attached to that office but are sincerely desirous of rendering some service to their countrymen by accepting office, it is for them to consider as to whether it is worth their while to pass this demand. As regards others who think that, irrespective of the question as to whether there are sufficient funds for the ministers to carry on their departments or not and irrespective of the question whether they would be able to render to their countrymen the service they would like to render, irrespective of these questions, they will accept ministry because attached to that office there is that pay of Rs. 64,000 and gilded chaprassis and all other honours, they certainly will vote for this item, for they do not care to consider as to whether it would be possible for them to go on working this diarchy any longer. If these considerations do not appeal

to the House as it is at present constituted, I will put to it the question which naturally arises—whether there is any chance during the few months of the life time of the present Council of having a stable ministry. If there is no chance is it worth our while to vote for this Rs. 1,50,000 under this head and is it not rather our duty to throw off this item so that the money may be better utilised? Why, I ask in all seriousness, throw this apple of discord amongst us and make us waste our energy over throwing off the ministry subsequently, if one is appointed? We have had enough experience of the manner in which a ministry is appointed and destroyed. From my experience in the past in this connection I would respectfully ask my friends in this House to consider, irrespective of the question as to whether they want to work the constitution or not, irrespective of the question as to whether they are pro-constitutionalists or anti-constitutionalists, irrespective of the question as to whether they are in favour of diarchy or against diarchy, I would respectfully ask them to look at the question entirely from a business point of view—the point of view of men who want to carry on business and consider as to whether it would be worth their while to vote for this item.

With these words I move that the salaries be refused.

Mr. W. L. TRAVERS: In a recent debate on the Ministers' salary Mr. Sen Gupta, intervening cleverly late in the debate with that forensic eloquence and stimulated passion which I so much admire, criticised the policy which I had announced somewhat in this manner: He said, " Mr. Travers says that he will support no more Ministers.

6-54 p.m.

Does Mr. Travers mean to insinuate that he will not support as Minister," and then Mr. Sen Gupta turned round to some gentlemen behind him whose name I did not catch. Now, Sir, I am only a humble planter and I cannot hope to emulate Mr. Sen Gupta in that eloquence which he possesses as a barrister and a politician, but I must submit to this Council that Mr. Sen Gupta on that occasion, and it has been repeated to-day also, inaccurately quoted the statement of policy which I then enunciated. What I said was this that the European group will not support any further Ministers unless and until they have a stable and a sufficient majority. Sir, we still retain that policy and continue on those lines. We have no intention whatsoever of supporting any Minister who may come to this Council with a majority of five or six votes. That majority may speedily, going on the evidence we have already had, turn into a minority. This leads to an amount of intrigue and wire-pulling of which we are quite tired. But, Sir, on this motion which is before the Council this evening, there are two factors which have led us to our decision. The first is this. There

is, or there was, according to the vote upon the Ministers' salaries last year, a considerable majority in favour of the working of the constitution. That majority has so far failed to operate. But we do not consider that we should be doing right if by our action here to-day we entirely shut out the possibility of that majority—those various groups who make that majority—coming together and composing their differences and making a real and stable ministry that might do some good in the Transferred Departments of Bengal. That, Sir, is our first reason.

The second reason is the old question of the constitution. Sir, I admit I said the other day that the question of the constitution has no longer the importance that it had in the early days of the Reforms. But we still feel that it is our duty to oppose our political enemy on the other side on those grounds. They have consistently opposed the working of the constitution, and we as consistently voted in favour of it and intend when this motion comes before the House to vote for the Ministers' salary.

Mr. BIJOY PRASAD SINGH ROY: My friend, Mr. Jogindra Chandra Chakravarti, has very clearly stated the point of view of my friends the Swarajists on the other side, and so has Mr. Travers explained the opinion of the European group in this House. Babu Jogindra Chandra Chakravarti has referred to a third group, namely, the group which thinks that it is always their duty to support the Ministers. Sir, I am one of those who have consistently supported the constitution since the year 1921, and so I consider that I belong to the group mentioned by Mr. Chakravarti. Sir, it is futile now to discuss whether diarchy has been killed by its friends or its enemies. By a sheer irony of fate, my friends opposite—the European group—the Government group and we who have hitherto consistently supported the Ministers, we all have come to the one and the same conclusion which is almost inevitable that Bengal is now sick of the game of Ministry. Sir, this game might have been a necessity or might have been very important a few years back but to-day I feel it is no longer pleasant or healthy. I would request the Government not to attempt to entice another set of hon'ble members of this House to that maze of Ministry, no attempt should be made to form another Ministry unless Government is fully assured of its stability.

Sir, I feel that no Ministry should be formed till a Sir Galahad is discovered in this hall who is prepared to sit on Montague's siege perilous not to save himself but only to lose himself. But in spite of what I have said, I agree with my friend Mr. Travers that we have got our duty to the constitution, and though we are against the appointment of Ministers—Ministers who cannot retain their position for more than a couple or two of months, we are still prepared to support the constitution and shall certainly vote for the constitution.

Babu BEJOY KRISHNA BOSE: Sir, there is nothing new to be said on this motion. Therefore, I would not repeat the arguments which we have heard on the floor of this House during the last few years. I do not know whether my European friends on the other side have ever seen a *jatra*. We see on the stage Ministers arrayed in beautiful costumes for playing a particular part for a while and then they go away. I am reminded of what Shakespeare wrote—"They strut and fret on the stage and then they are heard no more." For the last six years we have got this play enacted in Bengal. There are robust optimists on the other side who still believe that by voting on this subject they are voting for the constitution. A new point has been made to-day, namely, that if the Ministry can become stable, then only Ministers should be appointed. I am not going to traverse the ground which Mr. Travers has traversed during the last three years. He, while repeating his old arguments, has only added to-day the question of stability. Well, Sir, am I to understand that the Government when they appointed Ministers on other occasions, they always appointed Ministers knowing fully well that their Ministry would be unstable? Whenever they appointed Ministers the Ministry was supposed to be stable, but they have been disillusionised. They have found during the last six years that no stable Ministry could be formed because of whatever you may say—intrigue or other things—as Mr. Travers has suggested. I believe that the only honest course now open is not to vote for this salary and not to put His Excellency the Governor in a false position by bringing forward two men as players in a *jatra* and sending them away in disgrace after a month or so. There are certainly some gentlemen who think that if they once be appointed Ministers, they will be quite safe this time because this Council is meeting for the last time and probably it will meet for two or three days in July and August and they will go on pocketing Rs. 5,000 a month if by some chance there is no no-confidence motion during the next session. Well, let them live in that hope. But what is the honest course left for us? Do we want these gentlemen by a fluke to be appointed Ministers? Is that Ministry to be called stable? Will that Ministry be said to enjoy the confidence of the people? I will therefore request this House to see that this salary be refused altogether.

Why not wait till you get the verdict of the country at the next general election—the election coming in November. You have confidence in the Executive Council. That you have shown by your vote half an hour ago. You must be consistent. Do you think that these Executive Councillors are such that they will not be able to manage the affairs of the Transferred Departments? Why do you want to show your want of confidence in the Executive Council? Are you going to be inconsistent or to remain consistent? I know that consistency is not always a virtue, but I know that you have voted your confidence in the Executive Council half an hour ago. By voting for

the Minister's salary now you will perhaps vote in the hope that there will be a Hindu Minister and a Muhammadan Minister. It has also been suggested somewhere that there is going to be a European Minister, but I do not believe it as I find in the budget provision for the salaries of two Ministers only. It is certain that Europeans will not be dragged into it. I think that by voting for the Executive Council you allow the Executive Councillors to continue, you have shown your confidence in them. Mr. Marr is going to England and will come back invigorated, in the meantime another gentleman will come forward in his place and work the Transferred Departments. So far as the Local Self-Government is concerned, Sir P. C. Mitter is a veteran politician and has great experience as a Minister. So far as Mr. Moberly is concerned I am not going to say anything to detract from his virtues. He is a great administrator, a host in himself. Therefore, if you have confidence in the Executive Council, you should not put His Excellency into a false position by voting for this grant and offering inducement to appoint a fresh set of men to be turned out as soon as the opportunity would arise.

(On Babu Khagendra Nath Ganguly rising to speak.)

The Hon'ble Mr. A. N. MOBERLY: May I ask on which motion the member is going to speak?

Mr. PRESIDENT: He is speaking on 220. As a matter of fact he is not moving his motion but he is speaking in support of the motion moved by Babu Jogindra Chandra Chakravarti.

Babu KHAGENDRA NATH GANGULY: The refusal of Ministers' salaries has been one of the principal programme of work by Congress members in the Council for the last six years. Time after time we have driven out Ministers by moving a vote of no-confidence in them and by refusing their salaries. In removing them from office we have always made our position clear by stating that our quarrel was not with Ministers personally but with Ministers pledged to administer the diarchical form of Government. Bengal is not likely to forget in a hurry the memorable fight put up by the late illustrious Deshbandhu Das of revered memory for destroying diarchy and how successful he was in his attempts. The justification for the policy adopted by the Congress members has been amply vindicated and this will be found from an examination of the brief careers pursued by the Ministers themselves.

Adjournment.

The Council was then adjourned till 3 p.m., on Friday, the 22nd March, 1929, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Town Hall, Calcutta, on Friday, the 22nd March, 1929, at 3 p.m.

Present:

The Hon'ble the President (the Hon'ble Raja MANMATHA NATH RAY CHAUDHURI, of Santosh), in the Chair, the four Hon'ble Members of the Executive Council, and 112 nominated and elected members.

Starred Question

(to which oral answer was given).

Preparation of electoral rolls, caste of elector.

***93. Babu JOGINDRA CHANDRA CHAKRAVARTI:** (*a*) Will the Hon'ble Member in charge of the Appointment Department be pleased to state whether the instructions that have been issued for the preparation of electoral rolls for elections in the general constituencies for the Bengal Legislative Council and the Legislative Assembly contain a direction to the effect that the caste of the elector will be shown in a new column which has been added in the electoral roll?

(*b*) Is the Hon'ble Member aware that there are many people in the Hindu community who conscientiously object to mention their caste?

(*c*) Have any instructions been issued to meet cases where the electors object to mention their caste?

(*d*) Will the Hon'ble Member be pleased to state the reasons for introducing a new column to show caste, which did not exist before?

(*e*) Is it the intention of Government that if the caste of the elector is not mentioned, the elector will be disqualified from voting or standing as a candidate?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Mr. A. N. Moberly): (*a*) Yes, in the non-Muhammadan general constituencies.

(*b*) No. Ordinarily the caste will be recorded by the person preparing the roll.

(*c*) No.

(*d*) The object is to ascertain to what extent the present franchise secures the representation of various classes, especially of the "depressed classes."

(*e*) No. The enquiry is being made for statistical purposes. The instructions will be modified to make it clear that the caste will not be entered in the published electoral rolls, and that in the Calcutta and the five other urban constituencies caste need not be reported.

Babu JITENDRALAL BANNERJEE: Not content with the perpetual feud between the Hindus and Muhammadans, do the Government want to stir up new strife between caste Hindus and depressed-class Hindus?

The Hon'ble Mr. A. N. MOBERLY: No, Sir. In their representation before the Simon Commission the depressed classes raised the question of separate electorates for themselves. Government are not satisfied that they are not sufficiently represented on the electoral rolls already, and in order to ascertain what the representation is this enquiry is being made.

Babu JOGINDRA CHANDRA CHAKRAVARTI: Will the Hon'ble Member kindly let us know when these modified instructions are likely to be issued?

The Hon'ble Mr. A. N. MOBERLY: I think they have already been issued. If not, they will be issued at once.

Demands for grants.

22.—General Administration.

The discussion on Ministers' salary was then resumed.

Babu KHAGENDRA NATH GANGULY: They no doubt pose themselves as elected representatives of the people; but how did they discharge their duties when once they found themselves installed on the Ministerial guddi. Did they raise their little finger of protest, when Government launched on repressive measures by incarcerating hundreds of promising and patriotic young men of the land? Did they, forming a part of the inner machinery of Government, ever care to set their backs up as men against tyrannical and lawless laws involving the liberty of high-souled patriots? Did they as members of this Council ever care to go in the same lobby with the popular party in this House? Well, their sins of omission and commission are too numerous to mention. It will serve no useful purpose to recount

their past misdeeds, for they have been discussed threadbare on several occasions. The only explanation for such servile psychology is to be found in the fact that no sooner these gentlemen find themselves within the hallowed precincts of the Olymphic gods, they manage to forget their past, and regard themselves as transformed beings breathing a different atmosphere to what they used to breathe before. With the fat salary of Rs. 64,000 provided for them in the Budget, they look down upon their constituents with contemptuous indifference.

This time the Ministers are gone, at least there are no Ministers at present and the Bengal Government has not collapsed for want of these precious adherents. They are carrying on the Government serenely and smoothly. Why then this demand for providing money for Ministers' salaries? Are we not entitled to say that, mulish obstinacy of Government and their anxiety to revive the dead diarchy are responsible for this provision in the Budget. The Finance Member and his colleagues know perfectly well that this money has to be found from the pockets of the starving millions of Bengal and they also know that the Ministers are an absolutely superfluous parapharnalia of the Government. This policy--the time-worn policy of flouting the opinion and sentiments of the people--has been carried on too long. The Government policy of meting out doles, their policy of ingratiating a few place hunters with the bestowal of Rai Bahadurships and similar trinkets and appointing some others to high posts such as Ministers, cannot and will not satisfy the aspirations of a people hankering for freedom. The politically-minded men of the land under the guidance of the Indian National Congress can no longer be shut out from their just and rightful claims. They know and appraise at their true worth the value of Ministers, who are neither relied on by Government nor by their own people. This reminds me of an incident when during the last sessions of the Congress and a few days before the actual sitting of the Congress, one of the Ministers came to the tent of the Chairman of the Reception Committee. One of the gentlemen present, probably Dr. Bidhan Chandra Roy (DR. BIDHAN CHANDRA ROY: No, I was not present) asked the Minister how the administration was being carried on. The Minister replied laughingly that he could give no information as his position was unenviable, for he had lost the confidence of the people and did not enjoy that of the Government. (Laughter.) No doubt this was spoken in jest, but the agony of the truth behind the spoken words is staggering. Unless one is entirely dead to all sense of self-respect, he would never willingly work in such a position. Naturally when people are pulsating with national self-consciousness and burning with an active desire for achieving freedom, they can never submit to be ruled by a pair of puppets, euphemistically called

"Ministers." We do not know what the report of the Simon Commission would be. But this much we can safely predict that the Commissioners would never be idiotic enough to recommend a diarchical form of Government or anything like it.

Sir, Ministers are anachronisms, and they must on no account be allowed to disfigure the Government if the people can help it. Time is gone by, when administration can be carried on in the teeth of popular opposition for any length of time. As Ministers are not wanted, Government cannot be allowed to provide their salary in the Budget. I would therefore appeal to the members of this House that they should, in spite of Government opposition, vindicate the fair name of Bengal by totally refusing this grant.

The following motions were called but not moved:—

Maulvi SHAMSUR-RAHMAN: "That the demand of Rs 1,50,000 under the head '22—General Administration—Ministers—Provision for 2 Ministers' be reduced by Rs. 1,49,999 (to prevent the fall of the ministry on account of petty jealousy amongst the members of the Bengal Legislative Council)."

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 1,50,000 under the head '22E—General Administration—Ministers' be reduced by Rs. 1,49,998."

Babu KHAGENDRA NATH GANGULY: "That the demand of Rs. 1,50,000 under the head '22E- Ministers' be reduced by Rs. 1,28,000."

Babu AKHIL CHANDRA DATTA: "That the demand of Rs. 1,50,000 under the head '22E—Ministers (Transferred)' be reduced by Rs. 64,000."

Mr. S. C. MUKERJI: Mr. President, Sir, I beg to move that the demand of Rs. 1,50,000 under the head "22E. -Ministers" be reduced by Re. 1 (to raise a discussion on the question of the stability of the future ministry).

I have given notice of this motion in order to raise a discussion as to how to secure a stable Ministry in the future. The position of the Swarajists is absolutely clear, definite and unequivocal. They believe that diarchy is unworkable and therefore they must oppose it. For nine years I have been consistently maintaining that diarchy is workable. Diarchy is working in six provinces out of eight in India. Diarchy did work in this Province for three years, namely 1921, 1922 and 1923. On the 26th of December last year, a very pertinent question was asked by Lord Burnham of the All-India

deputation of the All-India Christian Conference. The question that Lord Burnham put was: "Why is it that diarchy has failed in some provinces?" and when the question of Bengal came up, it devolved on me to give an answer. The answer that I gave was that diarchy has failed in Bengal, firstly, because, of the opposition of the Swarajists and, secondly, because of incompetent and worthless Ministers. ("Hear, hear"). Ministers who could not take the initiative in anything, Ministers who could not put two sentences together in correct English (Hear, hear), Ministers who were utterly devoid of any knowledge of facts and figures, and also utterly devoid of imagination. Why is diarchy failing in Bengal? Who are responsible? Who are the wreckers and the breakers of the Constitution? My unequivocal answer is: "Not the Swarajists but my friends, the Muhammadans." The Muhammadan members of this Council are solely and wholly responsible for the failure of diarchy in Bengal. Sir, there is only one appointment, and if for that appointment you have 38 applicants, how can you expect a stable Ministry in Bengal? (Laughter.) There are only 42 Swarajists in this Council, and out of these 42 Swarajists only two are Muhammadans (A VOICE: Only one). Thank you for your correction, there is only one. There are 39 Muhammadans who are practically pledged to the constitution, and if they want diarchy, why do they not put their heads together and give us the right man. We want a stable Ministry, we do not want an *astabal* Ministry, full of dirt and filth. (Laughter.) It is a stable Ministry we want, and not an inefficient and filthy Ministry. We cannot support such a Ministry. Is it a child's play? Is the Bengal Legislative Council a place for place-hunters? Mr. Travers, on behalf of the European group, wants a Ministry which will command a majority in this Council, and also command confidence. A Minister with a long purse will never command the confidence of this House (ironical laughter). It is only a Minister, who has got strength of character, who is efficient and a man who knows his subjects thoroughly well, is educated and cultured, that can command the confidence of this House. Who are the people we have got to deal with? Have we not got to deal with a Prentice and a Cassells, with a Hopkyns and a Hogg, with a Jenkins and a Dash, men who know their business thoroughly, are well-educated and astute politicians? (A VOICE: Very good).

Now, Sir, there will be no stability in any future Ministry in this House, and my Swarajist friends will walk in and out triumphantly holding the banner of obstruction aloft so long as my Muhammadan friends do not pull their forces together and do not put their heads together and place the right man before this Council. (Mr. D. N. ROY: They will again vote against him.) No, nobody will vote against him if the right man be there; but I shall myself vote against

the Minister if I find that he is not up to the mark. (A VOICE: But you won't get it.) Sir, what are the transferred subjects? Let me take only one. Let me take the subject of Education? Sir, I may be a good tea planter, but that is no reason why I should know all about the University, Secondary and Primary education of the Province.

Maulvi TAMIZUDDIN KHAN: On a point of order, Sir, I do not know what Mr. Mukerji's point is. Is it in order to discuss the merits or demerits of a particular member?

Mr. PRESIDENT: Mr. Mukerji has not named any particular member. His plea is that if the Ministry is going to be made stable, then the Ministers must be men who are fit to shoulder the task which will be imposed on them. (Cries of "Hear, hear" from the Congress members.)

Mr. S. C. MUKERJI: Sir, I am sorry for the inference that Mr. Tamizuddin Khan has drawn. It is the past that throws light on the future. (Hear, hear.) If we want to conduct ourselves properly in the future, we must know what the past has been. (Mr. D. N. Roy: Please remember this.) I say that the past has been a failure because of these reasons, and in order that we may secure a stable Ministry we must take account of these facts. Like Mr. Travers, I also want to see a stable Ministry.

Mr. PRESIDENT: But, you are not supposed to name any ex-Minister or cast any reflection on any individual ex-Minister.

Mr. S. C. MUKERJI: I was simply illustrating my point. (Laughter.) There is no sting in it.

Mr. PRESIDENT: But there are limitations of which you may not be conscious of. (Laughter.)

Mr. S. C. MUKERJI: Well, Sir, I have made my position perfectly clear. I do not wish to press this motion to vote, but I simply move it in order to raise this discussion.

Maulvi TAMIZUDDIN KHAN: Mr. President, Sir, I would not have risen to speak on this motion, but for the fact that a novel note has been struck in this year's discussion of this question by the last speaker, and also by some speakers yesterday. In addition to the constitutional argument, another new argument has been put forward, namely, that the situation in this House is not at all conducive to the

formation of a stable Ministry, and therefore it is useless to vote for the demand for grant for the Ministers' salaries. The contention is that it is worse than useless—it is perhaps inhuman—to drag in two more hon'ble gentlemen into the ministerial net, and then to send them away in disgrace in the course of a month or two. I am sorry, Sir, I cannot endorse this argument, either as to the premises or the conclusions sought to be drawn. First of all, as to the premises, I do not think that it is absolutely impossible to form a stable Ministry, although the situation in this House is not very reassuring. So far as the last Ministry is concerned, we have seen that it stood the onslaughts of the Swarajists for more than a year. (Cries of "Question" and "No, no.") Yes, it was for more than a year, and it was only when ....(Interruptions of "No," No.") If you want to interrupt me, you are at perfect liberty to do so, but I am only stating a fact when I say that the last Ministry surely stood all the attacks made by the Swarajists to break it for more than a year. It was only when some friends of the Constitution initiated the attack that the combination of the enemies of the Constitution and of the enemies of the Ministers succeeded in overthrowing the Ministry. It was not a triumph for Swarajism; it was a triumph of jealousy and hatred and also a triumph of honest self-delusion, all combined. (A VOICE: You may be suffering from self-delusion yourself.) Sir, whether Swarajism has its hold on this House will be shown by the result of the division on the present motion. (Laughter, and cries of "Question.") I would ask those of my friends who pose as the supporters of the Constitution not to be seduced by the crocodile tears that have been shed by some of my Swarajist friends in contemplating the fate of the future Ministers. (Cries of "We don't shed tears.") It seems that you do not want to allow me to speak. (Cries of "No," "Go on," "Very nice.")

Mr. PRESIDENT: Order, order. I think the member should be allowed to proceed with his speech.

Maulvi TAMIZUDDIN KHAN: I do not know of any more hypocritical tears than those that have been shed by my Swarajist friends at the possible fate of the future Ministers, namely, that they will have to go away in disgrace in the course of a month or two. If I call those tears crocodile tears, I do not think that anyone can reasonably take any exception to my statement. (Cries of "Question.") I do not wish to say anything as regards the constitutional issue regarding which arguments, both in favour and against it, are too stale and stereotyped, but I would like to emphasise this fact that I do not at all consider that it is not possible to form a stable Ministry———

(Here the member was speaking with his face turned towards the Congress members).

Mr. PRESIDENT: Maulvi Sahib, you must address your remarks to me and not to the members of the House.

Maulvi TAMIZUDDIN KHAN: Sir, if there has not been a stable Ministry hitherto, I do not think that the whole blame can be laid on the shoulders of the Muhammadan members, as has been done by my friend Mr. Mukerji. Of course, Muhammadan members have got their proper share of the guilt, but I claim that the whole blame cannot be thrown on their shoulders. We have seen that from the outset certain limitations have been placed on this already difficult problem, which, I think, have prevented the formation of a stable Ministry. It is for us here to be loyal to the Constitution and to the mandates of our constituencies. If the Ministers' salaries are passed, it is the duty of His Excellency the Governor and his advisers to see whether a stable Ministry can be formed. We shall be going out of our way if we were to take on our own shoulders the responsibility of finding out ways and means for the formation of a stable Ministry. That is not our business at all. If the salaries are passed, I think His Excellency will be able to form a Ministry, even at this fag-end of the year, which will be able to withstand all attacks and continue in office till the term of the present Council expires. I fully appreciate the difficulties that are in the way of forming a stable Ministry, and I fully recognise that the problem is beset with complications. But I do not think, Sir, that the difficulties and complications are insurmountable. What is necessary is some amount of tact and courage. I hope, Sir, that should it be necessary to break through old precedents and remove unnecessary limitations, it will be courageously done for the safety of the Constitution and a Ministry formed which will last throughout the lifetime of this Council.

With these words, Sir, I oppose the motion for the refusal of Ministers' salaries.

Mr. J. M. SEN GUPTA: Mr. President, Sir, after Mr. Mukerji's exposition of the position of the Swarajists as regards this question of the demand for Ministers' salaries, it is hardly necessary for me to elucidate the point of view of the Swarajists on this question. But, Sir, a word of protest is necessary to be uttered by me in this House against the action of the Government and some members of this House in persisting in putting forward this demand in this House. Let me, Sir, first put aside the case of the Members of Government. This budget was prepared at a time when the Ministers were still in office. It was quite natural that this demand should

have found a place in the budget demands, but it is only a few days ago that the Ministry was overthrown. What was the constitutional position of the head of the Government when the Ministers were put out of office by a vote of no confidence in the Legislative Council? The position is perfectly clear. I want to ask those who swear by the Constitution, and I count amongst them Mr. Travers and Mr. S. C. Mukerji, whether the position that they take up on this question is the position of those who love the Constitution, who want to run the Constitution. I want to ask this question also of those Members of Government, who tell us day in and day out that they have given us partial responsible Government. Even Lord Lytton reminded us on one occasion, when the Ministry was overthrown, that he would give an opportunity to this Council, after the Ministers were appointed, in order to enable this Council to show its sense of confidence or no confidence in them by putting either the demand for grant of their salaries before this Council after their appointment, or by giving an opportunity to this Council to show its want of confidence in them by means of a token cut in a demand for grant for any department under the Ministers. We have not had one word from the Members of Government to-day as to whether Ministers would be appointed immediately after the salaries are passed, nor have we had any announcement that Ministers have already been appointed. There are only two constitutional positions which His Excellency the Governor could take up in this case. It was his duty to send for the leaders of the different parties in this House immediately after the Ministry was overthrown, I mean leaders of the parties who had combined to overthrow the Ministry. I do not grieve because His Excellency did not send for the leader of the Congress party. He sent for us before, and he knows fully well our views.

3-30 p.m.

He should have sent for Sir Abd-ur-Rahim, the leader of the Muhammadan party, and the Maharaja of Mymensingh, the leader of the Union party. I do submit, Sir, that if the Constitution has been broken by anyone, it has been broken by the Government and the head of the Government. That is the first charge I make against the Government; they have been guilty of breaking the Constitution.

The next point I wish to develop is this. How is it possible, how is it fair in a scheme of Government that is said to be responsible, when Ministers are appointed on the basis that they are responsible to the Legislative Council, that when a Ministry is thrown out, not only are the Ministers not immediately appointed by sending for the leader of the Opposition, but a demand for the salaries of the Ministers is put forward in all seriousness before the members of this Legislative body for the purpose of passing that demand—a demand for

salaries of Ministers when we do not know who the Ministers are? This, I submit, is a clear violation of all constitutional procedure, and the Government having done that, Mr. Travers, the leader of the European group, assures us that "we are the supporters of the Constitution; we will support the Constitution at any cost." Support it against the attacks made upon it by the Members of the Government and by His Excellency the Governor in not following the Constitution by throwing out these salaries! Would you not be really wrecking the Constitution by supporting this demand? I am saying this that this so-called love for the Constitution is not true love; it is the real love of inflicting a defeat on the Swarajists. Sir, they are not really zealous for the protection or the honour of this Constitution. They are anxious to see that the Ministers' salaries are carried so that fresh negotiations—gentle secret negotiations—may be carried on not only by the Members of the Government with the members of this House but also with certain men with money, so that they can get together the names of members to support them. I do charge the Government that they are more guilty than the late Ministers whom we have turned out in poisoning the public life of Bengal. What right have they to dangle this demand before the members of this House and ask their votes without having appointed the Ministers? Is it not clear that the reason for putting this demand forward to-day without there being any Ministers before us is that all groups who want to have a Ministry formed from amongst their own groups will support this demand in the expectation that they may succeed in getting one or two of themselves nominated to the Ministry? I do submit that this is a deliberate piece of rascality on the part of the Members of Government, a worse piece of rascality than the———

The Hon'ble Mr. A. N. MOBERLY: On a point of order, Sir. Is that kind of language permissible?

Mr. PRESIDENT: Mr. Sen Gupta, I must intervene and ask you to withdraw the word that you have used. I have carefully weighed it in the balance and I cannot allow it to go unchallenged. In your best moments you will perhaps repent for having used it.

Mr. J. M. SEN GUPTA: I will submit to your ruling, but I may say that this phrase was used by one of the highest men in the land, the Chief Justice of Bengal. But as he thought that it was forensic, I thought that it would not be unparliamentary.

Mr. PRESIDENT: No matter that the Chief Justice has used it; I expect that one who knows what parliamentary language is, one

who is the leader of an important party in this House, will not compromise his position by using an expression like that, particularly when exception has been taken to it. I must ask you to withdraw it.

Mr. J. M. SEN GUPTA: Certainly I am withdrawing it, but I must say that it was used by one of the biggest men in the land. Why do I say that it is deliberately done? I have made my reasons clear that it is deliberately done for the purpose of catching votes. Why do you blame individual members of this House when they go round the lobbies and go round the members' houses to get their signatures? I am told to-day that Mr. Travers said yesterday in this House that he would support the passing of the Ministers' salaries and would support any two Ministers who could give him the names of say about 20 members, and he wants that in writing. I do submit that this is only encouraging bribery. What are these gentlemen going to do who want to be Ministers? They would go round and try to get members' names promising them money and promising them or their relations and their sons-in-law posts. We know these tricks; every one knows them. One cannot sufficiently condemn it because it means absolutely poisoning the public life of Bengal. That is not the point. You ought to say—those who swear by the Constitution —let them say plainly: "Appoint your Ministers, we want to see their faces, we want to see whether they enjoy the confidence of this House." What the Government is doing is really going behind the Constitution, is really breaking the Constitution.

One word about Maulvi Tamizuddin Khan. He has said that the success or failure of this motion would prove whether Swarajism has succeeded or not. He is absolutely mistaken. The success or failure of this demand will prove whether the Government and their henchmen and supporters have succeeded in poisoning the whole public life of Bengal and have succeeded in throwing out a temptation and taking away a large number of members to their side. That is what has been done in this House by making this demand. No Minister has been appointed and every member who is a supporter of the Constitution has a little lurking hope in his mind that he may be approached and that he may be able to put Rs. 5,333-5-4 in his pocket for at least a few months soon. Therefore, the success or failure of this demand will not prove whether Swarajism has succeeded or not. It will only prove that the Government has succeeded in poisoning the public life of Bengal.

Mr. J. CAMPBELL FORRESTER: Mr. President, I should like to put a question to Mr. Sen Gupta. Would Mr. Sen Gupta be able to appoint any one in his employment before he knew the salaries to be paid for it?

Mr. J. M. SEN GUPTA: May I reply to this question? My reply is that no Legislative Council passes the Ministers' salaries when there are no Ministers. It has the other answer, namely, that Government is perfectly in a legal position to bring forward a supplementary demand for Ministers' salaries after the Ministers are appointed: that is open to them. The proper course for them is to withdraw this demand, appoint the Ministers and then bring forward a supplementary demand.

Babu JITENDRALAL BANNERJEE: Sir, I cannot help thinking that in one respect my friend Mr. S. C. Mukerji was rather incorrect in his analysis of the situation. He attributed the failure of Ministry in Bengal entirely to the incompetence of the past Ministers. Correct as that analysis may be within certain limitations, I must say that it is inadequate and incomplete, and there are wider and deeper issues at work. And it is with the object of placing some of these additional considerations before this House that I rise to address this Chamber to-day. I shall not tire the patience of the Council by a mere rehash of the arguments which have been staled by repetition into commonest common place. It is by this time admitted on all hands that diarchy has not functioned and cannot function in this Province. It is known and admitted, not simply by us but by competent European observers, that the Ministers have no control over policy, that they have no control over the purse, that they have no control over the administration of their own departments. In these circumstances, it passes our understanding as to how men of self-respect, men possessing the least grain of political sense can possibly continue to accept this office. But, Sir, to-day I shall not concern myself with these abstract considerations. I should like only to urge that, in the circumstances of the country, that in the political circumstances that obtain in this House, it is impossible for any Ministry to remain in power; and it is the merest trifling on the part of Government to try to go on forming Ministry after Ministry. I shall build up my arguments entirely upon two propositions. My first proposition is that diarchy, in order to function, must be supported by a political party; and my second proposition is—it is almost a truism—but even truisms require to be repeated at times—that a political party must be based upon political considerations and cannot depend upon considerations of race and community. It is idle to speak of a European party or a Muhammadan party, though the Europeans themselves forgetful of their own political traditions elsewhere often commit the mistake of speaking of a European party. It is as idle to speak of a European party or of a Muhammadan party as a party of tall men or of short men, or of fat men or of lean men. Europeans cannot by themselves form a party unless they stand upon a distinct political principle. Of

course, here the European members may say that they have got a political principle and their political principle is to support whatever Government may exist because the Government is theirs. If that is their position, and it is certainly an intelligible proposition, I should like to remind them that, by the same token, we are bound to oppose the Government, because the Government is not ours. And that so long as it continues not to be ours, so long as it continues to be alien in personnel, and alien in spirit, so long we shall go on opposing, whatever the result of our opposition may be. As there is no European party as such, so there can be no Muhammadan party as such—I hope my Muhammadan friends will take no offence by my remarks, for what I am stating is undoubtedly a proposition of fact. Whenever an acute political crisis has arisen in the country, whenever a complex political situation has confronted the Council, we have found that the so-called Muhammadan party has disintegrated into a number of groups—bewildering by their size, variety and the complexity of their composition. We are sometimes told that, if there is no European or Muhammadan party, surely there is the Union party. Sir, I hope, you will pardon me for saying that the only characteristic of the Union party is its chronic state of disunion. Up till now not one of the champions of the party has enunciated the political principle upon which they take their stand. In the course of two speeches—one delivered by the Maharaja of Mymensingh and another by Mr. Sanyal—it appeared that there was one tattered rag of political principle upon which they took their stand. And what is this precious political principle of the Union party? It is that none but a member of the Union party could be a Minister.

3-45 p.m.

That, I suppose, is a sort of principle, the kind of principle that has been immortalised by Dr. Johnson in the famous line—"He who drives fat oxen must himself be fat." He who wants to be a Minister must be a Unionist himself.

I am sometimes reminded that there is another political party in the House, viz., the Liberals. Sir, of the Liberal party I am tempted to say in the words of a distinguished British statesman that there *was* a Liberal party. In the heyday of its power and prestige the Liberal party consisted of two members. One of them now adorns the presidential chair with dignity and grace: the other sits securely entrenched in the seats of power and authority. And with the disappearance of these two gentlemen, the Liberal party, like the last rose of summer, has disappeared into oblivion. Such being the case, there being no organised party in the House in support of Ministry, there being only one political party in the House, and that party being inveterately

hostile to the acceptance of office under the present system, what can the Government mean by persisting in their futile efforts to thrust a ministry on an unwilling and hostile House? I said last year, and I would repeat again this year, that diarchy will not flourish, it cannot flourish, in the soil of Bengal. The blight of a fatal curse seems to rest upon it. It casts no shade, it bears no blossom, it brings forth no fruit; it only encumbers the ground with its growth of noxious and unwholesome vegetation; and the only way in which we can deal with it is to root it out of existence.

Sir, the Europeans may say—your position is an impossible one, you refuse co-operation when we stretch out a helping hand to you. Sir, speaking for myself and not on behalf of any political party, I wish to repudiate this charge. Sir, at the present moment we are all for co-operation (" Hear, hear "), but we are for co-operation on terms of honour and not dishonour, we are for co-operation on terms of equality and not on servility, we are for co-operation on terms of responsibility and not on terms of irresponsibility. And, Sir, this offer of co-operation has been made not by a humble individual like myself, but by persons far greater than myself. It was made by Pandit Motilal Nehru on the floor of the Legislative Assembly: it was made by Mahatma Gandhi from the wider platform of the National Congress. This offer of co-operation still remains; but the sands in the hour glass are running out fast and every day that passes makes the situation more difficult and more hopeless of solution. If you have imagination and the instinct of politics, you will accept this offer even now and if you accept it, you will have peace now and for ever more. But if you reject this offer, you will have another period of strife and bitter discord.

Sir, the Europeans may think that they are fighters and that they need not care whatever strife or struggle may ensue. I admit that the Europeans are fighters—both keen and strenuous: and none knows better than ourselves how great our limitations are—how weak, impoverished and hopelessly disorganised we are. But even knowing our limitations, we shall have no fear in joining the strife that may ensue. We shall join it with our eyes open, with conscience clean, with faith undimmed and with hope unconquered: and we are sure that, as there is a God of Justice who rules the affairs of the earth, even so, in the end, the triumph will be ours and not yours.

Srijut JOGENDRA NATH MOITRA: I formally beg to move that the demand of Rs. 1,50,000 under the head " 22F.—Ministers " be reduced by Re. 1 (diarchy being an unworkable system in this country).

The Hon'ble Mr. A. N. MOBERLY: Sir, I do not propose to prolong this debate for very long. When I saw that more than 30 motions for refusal or reduction of Ministers' salaries had been tabled, I very much suspected that we should not hear very much that we had not heard before, and I have not been disappointed. The position of Government in this matter is very clear. The Government of India Act provides that certain subjects shall be reserved, and certain other subjects shall be transferred. The reserved subjects are to be administered by the Governor in Council: the transferred subjects are to be administered by the Governor acting with Ministers. At the present moment, it is perfectly true, there are no Ministers, but it is not very long since there were and since the last Ministry failed. We have been told from every part of the House that it is desirable that any Ministry that may be appointed should be a stable Ministry. Well, Sir, if on the day after the Ministry fell or a week after the Ministry fell, His Excellency was unable to find a stable Ministry waiting round the corner, was he to put in two figure-heads as Ministers so that their salaries might be rejected or that there might be another vote of no-confidence? I say no. His Excellency is just as anxious as anybody in this House can be to find a stable Ministry, and if he is not able to find one in a fortnight he may be able to find one in a month or two; but the mere fact that he has not been able to find one so far is no reason why he should go back on the Constitution and make no provision for salaries for Ministers in the budget. I think, Sir, if the Governor had not made the recommendation that salaries should be provided in the budget, but had waited till the end of the year and appointed Ministers without salaries in the hope that supplementary demands would be voted, he would have been accused of performing a most unconstitutional act. Our point is, therefore, Sir, that there cannot be Ministers unless their salaries are voted. If this demand is thrown out to-day, then, Sir, His Excellency will not be able———

Mr. J. M. SEN GUPTA: May I rise on a point of explanation, Sir?

Mr. PRESIDENT: Not at this stage, Mr. Sen Gupta. You can do so later on.

The Hon'ble Mr. A. N. MOBERLY: I am not of opinion that it is impossible to form a stable Ministry from among the members of this House who are in favour of working the Constitution. Past events have certainly shown that it is difficult, and I can only hope that those who desire to work the Constitution and to prove that a stable

Ministry in Bengal is a possibility, will, as somebody said, put their heads together and prove it. They will I hope learn from past failures, but the mere fact that there have been failures in the past is no ground for defeatism, or for going to the Secretary of State and saying that it is absolutely impossible to have a parliamentary system of Government here and that the transferred subjects should be retransferred. I therefore oppose these motions.

Mr. J. M. SEN GUPTA: On a point of personal explanation, Sir. I think the Hon'ble Member had forgotten when he said that it was impossible to appoint Ministers unless the salaries were voted that———

Mr. PRESIDENT: The position is not clear, Mr. Sen Gupta. At first I thought you rose on a point of explanation. Now I see you want to put some questions.

Mr. J. M. SEN GUPTA: Yes, Sir, I want to ask two questions. The first question is this. When the Huq-Ghuznavi Ministry was thrown out they were kept on as Ministers without salaries and it was not found difficult under the present constitution to keep them on without salaries. Another point which the Hon'ble Member has developed. (Paused).

Mr. PRESIDENT: It appears that you are not sure of your point.

Mr. J. M. SEN GUPTA: You did not allow me to put the questions at the time I wanted to put them. The Hon'ble Member said that it was not possible to bring in the salaries after the Ministers were appointed. There is clear provision in the law for supplementary demands and a short sessions might be called.

Mr. PRESIDENT: I think, Mr. Sen Gupta, you are rather arguing than putting questions.

The Hon'ble Mr. A. N. MOBERLY: As this point has been raised, I might say that Lord Lytton's action was assailed as unconstitutional. In the British budgets salaries of Ministers are provided as a matter of course.

Mr. J. M. SEN GUPTA: My question is this. Is the Constitution here the same as it is in England?

(No reply).

The motion that the demand of Rs. 1,50,000 under the head "22E.—Ministers" be refused was then put and a division taken with the following result:—

AYES.

Ahamad, Maulvi Asimuddin.
Bagshi, Babu Rames Chandra.
Banerjea, Dr. Pramathanath.
Banerjee, Babu Promotha Nath.
Banerjee, Mr. A. C.
Bannerjee, Babu Jitendralal.
Basu, Babu Sasi Sekhar.
Basu, Mr. P. C.
Biswas, Babu Surendra Nath.
Bose, Babu Bejay Krishna.
Chakraburtty, Babu Jatindra Nath.
Chakravarti, Babu Jogindra Chandra.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dutt, Babu Saral Kumar.
Ganguly, Babu Khagendra Nath.
Ghose, Babu Amarendra Nath.
Gupta, Mr. Jogesh Chandra.
Hoque, Kazi Emdadul.
Lala, Babu Saroda Kripa.
Maiti, Babu Mahendra Nath.
Moitra, Srijut Jogendra Nath.
Mukerjea, Srijut Taraknath.
Nasker, Babu Hem Chandra.
Ray, Dr. Kumud Sankar.
Ray, Srijut Radha Gobinda.
Roy, Babu Manmatha Nath.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarker, Babu Naliniranjan.
Sen, Srijut Nagendra Nath.
Sen Gupta, Mr. J. M.

NOES.

Acharjya Chaudhuri, Maharaja Shashi Kanta.
Afzal, Maulvi Syed Muhammad.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Ali, Mr. Altaf.
Atiquilah, Mr. Syed Md.
Blair, Mr. J. R.
Cassells, Mr. A.
Chaudhuri, Khan Bahadur Maulvi Hafizar Rahman.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Choudhury, Maulvi Khorshed Alam.
Clark, Mr. I. A.
Cohen, Mr. D. J.
Dash, Mr. A. J.
Drummand, Mr. J. G.
Farequi, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Fyfe, Mr. J. H.
Ghose, Mr. M. C.
Ghosh Maulik, Mr. Satyendra Chandra.
Ghuznavi, Alhadj Sir Abdelkerim.
Gordon, Mr. A. D.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Habibullah, Nawab Khwaja.
Haque, Khan Bahadur Maulvi Azizul.
Hegg, Mr. G. P.
Hosain, Nawab Musharruf, Khan Bahadur.
Huq, Khan Bahadur Maulvi Shramul.
Hussain, Maulvi Latafat.
Jenkins, Dr. W. A.
Karim, Maulvi Abdul.
Kasem, Maulvi Abul.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Laird, Mr. R. D.
Lamb, Mr. T.
Maguire, Mr. L. T.
Marr, the Hon'ble Mr. A.
Martin, Mr. O. S.
McCluskie, Mr. E. T.
Mitter, the Hon'ble Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. N.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Ordish, Mr. J. E.
Ormand, Mr. E. C.
Philip, Mr. J. Y.
Poddar, Mr. Ananda Mohan.
Prentice, Mr. W. D. R.
Rahman, Maulvi Shamsur-
Rahman, Mr. A. F.
Rahman, Mr. A. F. M. Abdur-.
Rauf, Maulvi Syed Abdur.
Ray, Babu Surendra Nath.
Rose, Mr. C. F.
Roy, Mr. Bijoy Prasad Singh.
Sarker, Rai Sahib Rebati Mohan.
Sattar, Khan Bahadur Abdus.
Sattar, Mr. Abdool Razak Hajee Abdool.
Sinha, Raja Bahadur Bhupendra Narayan.
Solaiman, Maulvi Muhammad.
Stapleton, Mr. H. E.
Tate, Major General Godfrey.
Thomas, Mr. H. W.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Twynam, Mr. H. J.
Wordsworth, Mr. W. C.

The Ayes being 34 and the Noes 69 the motion was lost.

4 p.m.

The following motion of Mr. P. C. Basu was then put and lost:—

"That the demand of Rs. 64,000 under the head '22E.—Ministers—Minister for Education' be refused."

The following motion of Mr. S. C. Mukerji was then put and lost:—

"That the demand of Rs. 1,50,000 under the head '22E.—Ministers' be reduced by Re. 1 (to raise a discussion on the question of the stability of the future Ministry)."

The following motion of Srijut Jogendra Nath Moitra was then put and lost:—

"That the demand of Rs. 1,50,000 under the head '22E.—Ministers' be reduced by Re. 1 (diarchy being an unworkable system in this country)."

Babu JITENDRALAL BANNERJEE: So far motion No. 293 which stands in my name is concerned, may I move it now, as I understand the intermediate motions are all going to be withdrawn?

Mr. PRESIDENT: I myself do not know whether the movers are going to move them or not.

Babu JITENDRALAL BANNERJEE: It is all among ourselves, Sir, and nobody is going to move these motions.

Mr. PRESIDENT: But it is safer for me to call out each and every one of them by name.

The following motions were called but not moved:—

Babu AMARENDRA NATH GHOSE, Dr. KUMUD SANKAR RAY, Maulvi SYED MUHAMMAD AFZAL, Mr. A. F. M. ABDUR-RAHMAN, Kazi EMDADUL HOQUE and Maulvi KHORSHED ALAM CHOUDHURY: "That the demand of Rs. 36,600 under the head '22F.—Legislative Council—Other Gazetted Officers' be reduced by Rs. 100 (to criticise the policy of Government regarding the method of recruitment and maintenance of the gazetted staff of the department)."

Dr. KUMUD SANKAR RAY, Babu AMARENDRA NATH GHOSE, Maulvi SYED MUHAMMAD AFZAL, Mr. A. F. M. ABDUR-RAHMAN, Kazi EMDADUL HOQUE and Mauvi KHORSHED ALAM CHOUDHURY: "That the demand of Rs. 31,000 under the head '22F.—Legislative Council—Pay of clerks' be reduced by Rs. 100

(to criticise the policy of Government for the scanty provision of prospects for lower division selection grade posts in the Legislative Department)."

Babu NALINIRANJAN SARKER, Mr. SATYENDRA CHANDRA CHOSH MAULIK, Srijut RADHA GOBINDA RAY and Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 31,000 under the head '22F.—Legislative Council—Pay of Establishment—Clerks' be reduced by Re. 1 (to enter an emphatic protest against the present policy of Government regarding the prospects of the ministerial officers in the establishment of the Legislative Department as distinguished from those in the Bengal Secretariat)."

Kazi EMDADUL HOQUE: I beg to move that the demand of Rs. 1,900 under the head "22F.—Legislative Council—Temporary Establishment" be reduced by Re. 1 (to criticise the policy of the temporary establishment of the department.)

The reason for moving this motion is briefly this: on a comparison of the figures of the previous years I find that they are always on the increase. Now if to transact the business of the Legislative Department it is necessary that some temporary hands are to be taken in for a portion of the year, then my submission is that instead of taking temporary hands some permanent hands should be taken in. Of course, a lesser number of hands should be taken; but if, on the contrary, the nature of the work which is done by temporary men is so very trivial as not to necessitate the entertainment of even a lesser number of permanent hands then the work may be done with the assistance of the present staff by giving them additional remuneration for the work done. That will be a great incentive to the men concerned and at the same time the work of the department will be done more efficiently. With these few words I move my motion.

The Hon'ble Sir PROVASH CHUNDER MITTER: This demand is based on the following requirements. There is only one clerk, the personal clerk of the Hon'ble the President, and six peons of whom four are retained in consequence of the recommendation of the House Committee to increase the comforts of the members and two are taken in to help in the extra correspondence that arises during a session. Apparently the six peons must in the interest of economy be temporary since they work only for the period during which the Council is in session. That being the position I do not think the motion can be accepted.

The Hon'ble Mr. A. N. MOBERLY: I have nothing to add to what my friend Sir Provash Chunder Mitter has said. I formally oppose the motion.

The motion of Kazi Emdadul Hoque was then put and lost.

The following motions were called but not moved:—

Babu AMARENDRA NATH CHOSE, Maulvi SYED MUHAMMAD AFZAL, Mr. A. F. M. ABDUR-RAHMAN, Kazi EMDADUL HOQUE, Maulvi KHORSHED ALAM CHOUDHURY, Babu JITENDRALAL BANNERJEE and Dr. KUMUD SANKAR RAY: "That the demand of Rs. 60,000 under the head '22F.—Legislative Council' be reduced by Re. 1 (to express the indignation of the House for not getting the travelling allowance bills of the members of the Council prepared by the office)."

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 1,700 under the head '22F.—Legislative Council—Hill allowances' be refused."

Maulvi KHORSHED ALAM CHOUDHURY, Maulvi SYED MUHAMMAD AFZAL, Mr. A. F. M. ABDUR-RAHMAN, Kazi EMDADUL HOQUE, Dr. KUMUD SANKAR RAY and Babu AMARENDRA NATH CHOSE: "That the demand of Rs. 1,700 under the head '22F.—Legislative Council—Hill allowances' be reduced by Re. 1 [to criticise the policy regarding hill exodus of officers (gazetted and ministerial) of the Legislative Department, and absence of any principle in that connection]."

Babu JITENDRALAL BANNERJEE, Babu AMARENDRA NATH CHOSE, Dr. KUMUD SANKAR RAY, Maulvi SYED MUHAMMAD AFZAL, Mr. A. F. M. ABDUR-RAHMAN, Kazi EMDADUL HOQUE and Maulvi KHORSHED ALAM CHOUDHURY: "That the demand of Rs. 1,000 under the head '22F.—Legislative Council—House rent and other allowances' be reduced by Re. 1 (to criticise the policy of Government regarding allowances being part of pay of the ministerial officers of the Legislative Department, as being detrimental to the definite prospects of the officers concerned)."

Babu AMARENDRA NATH CHOSE, Dr. KUMUD SANKAR RAY, Maulvi SYED MUHAMMAD AFZAL, Mr. A. F. M. ABDUR-RAHMAN, Kazi EMDADUL HOQUE and Maulvi KHORSHED ALAM CHOUDHURY: "That the demand of Rs. 12,000 under the head '22F.—Legislative Council—Office expenses and miscellaneous' be reduced by Rs. 100 (to criticise the policy of expenditure)."

Babu NALINIRANJAN BARKER, Babu JITENDRALAL BANNERJEE, Mr. SATYENDRA CHANDRA GHOSH MAULIK and Srijut RADHA GOBINDA RAY: "That the demand of Rs. 1,96,000 under the head '22F.—Legislative Council' be reduced

by Rs. 100 (in order to raise a discussion on the combination of functions of Secretary, Legislative Council, with the Secretary to the Government)."

Babu AMARENDRA NATH GHOSE: "That the demand of Rs. 1,96,000 under the head '22F—Legislative Council' be reduced by Rs. 2 (to discuss officers' salaries)."

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 1,96,000 (voted) under the head '22F—Legislative Council' be reduced by Re. 1 (to raise a discussion on the advisability of maintaining too many gazetted posts in a small department and other related matters)."

Maulvi SYED MUHAMMAD AFZAL: Sir, I beg to move that the demand of Rs. 1,96,000 under the head "22F.—Legislative Council" be reduced by Rs. 100. In moving this token cut my object has been to criticise and to condemn the policy of Government—

(1) with reference to the scanty provision of prospects for the lower Division assistants in the Legislative Department owing to absence of sufficient number of upper division posts of the Secretariat cadre in that Department according to the standard of the ratio of the number of lower and upper division posts prevailing in the departments of the Bengal Secretariat,

(2) with a special reference to the scanty, inequitable and neglectful provision for lower division selection grade posts in the Department and the necessity of sufficient scope for these posts as the immediate panacea, in the present circumstances, as the office is now constituted, and

(3) with reference to the unnecessarily large number of gazetted posts in the small department which sits as a nightmare over the prospects of the assistants of the Legislative Department and acts as a vampire; and other related matters bearing on the subject.

Sir, at the very outset I would observe that the Legislative Department is, rightly speaking, a conglomeration of very delicate issues of exceptional circumstances of exceptional character which surpasses the comprehensions of ordinary human beings and requires exceptional brains to pursue the question.

Sir, the subject matter of the present topic has almost been hackneyed in this House. We have seen that there is very exceptionally scanty provision of *prospects* in the Legislative Department as compared with the other departments of the Bengal Secretariat, as

well as the offices of the Private Secretary and Military Secretary to Governor. The question of the *ratio* of the upper and lower division posts has been side-tracked exceptionally in the case of this Department as a sullen mockery. The absence of any *Muhammadans* in the upper division posts in the Legislative Department is a singularly exceptional phenomena. The *number* of posts in the upper division is exceptionally detrimental to the interests of the assistants of the Department as it is exceptionally negligible. The *pay* of the upper division posts in the Legislative Department is an exceptional departure from the accepted principles of the Secretariat. The smallness of the *size* of the Department is an exceptional plea. The condition of *overtime pay* is nothing but an exceptional bluff. The concession of *special selection grade post* in the lower division is a figment and hangs in the balance to await further consideration as an exceptional case of red-tapism.

How far the prospects of the lower division assistants are affected under the existing circumstances will be amply evident from the answer elicited from the Hon'ble the Finance Member to Unstarred Question No. 30 asked by Mr. A. F. Rahman on the 8th February last. It reveals a number of very peculiar and interesting characteristics of the office of the Legislative Department! Is it a huge constitutional hoax that this particular office has received such peculiarly differential and neglectful treatment, having its relations and associations with the Provincial Legislature of the reformed Government? Or is it a standing paradox which requires peculiarly subtle brains to understand it in its true perspective?——

(Here the maximum time allotted for the discussion of the head "22.—General Administration," having been reached the member had to resume his seat).

4-15 p.m.

The motion of Maulvi Syed Muhammad Afzal was then put and a division taken with the following results:—

AYES.

Acharjya Chaudhuri, Maharaja Shashi Kanta.
Afzal, Maulvi Syed Muhammad.
Ahamad, Maulvi Asimuddin.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Ali, Mr. Altaf.
Bagchi, Babu Romes Chandra.
Banarjea, Dr. Pramathanath.
Banerjee, Babu Promotha Nath.
Banerjee, Mr. A. C.
Bannerjea, Babu Jitendralal.
Basu, Babu Sasi Sekhar.
Basu, Mr. P. C.
Biswas, Babu Surendra Nath.
Bose, Babu Bejoy Krishna.
Bose, Mr. Subhas Chandra.
Chakraburtty, Babu Jatindra Nath.
Chakravarti, Babu Jagindra Chandra.
Choudhury, Maulvi Khorshed Alam.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dutt, Babu Saral Kumar.
Ganguly, Babu Khagendra Nath.
Ghose, Babu Amarendra Nath.
Ghosh Maulik, Mr. Satyendra Chandra.
Gupta, Mr. Jogesh Chandra.
Haque, Khan Bahadur Maulvi Azizul.
Himatsingka, Babu Prabhu Dayal.
Hoque, Kazi Emdadul.
Karim, Maulvi Abdul.
Kasem, Maulvi Abul.

Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Khan, Mr. Razaur Rahman.
Lala, Babu Sareda Kripa.
Maiti, Babu Mahendra Nath.
Moitra, Srijut Jogendra Nath.
Mukerjea, Srijut Taraknath.
Nasker, Babu Hem Chandra.
Pal Choudhuri, Mr. Ranjit.
Rahman, Maulvi Azizur.
Rahman, Maulvi Shamsur-
Rahman, Mr. A. F.
Rahman, Mr. A. F. M. Abdur-.
Ray, Dr. Kumud Sankar.
Ray, Srijut Radha Gobinda.
Roy, Babu Manmatha Nath.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarker, Babu Naliniranjan.
Sattar, Khan Bahadur Abdus.
Sattar, Mr. Abdeel Razak Hajee Abdeel.
Sen, Srijut Nagendra Nath.
Sen Gupta, Mr. J. M.

NOES.

Blair, Mr. J. R.
Casselis, Mr. A.
Chaudhuri, Khan Bahadur Maulvi Hafizar Rahman.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Clark, Mr. I. A.
Cohen, Mr. D. J.
Dash, Mr. A. J.
Drummond, Mr. J. G.
Faroqui, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Fyfe, Mr. J. H.
Ghose, Mr. M. C.
Ghuznavi, Alhadj Sir Abdelkerim
Goenka, Rai Bahadur Badridas.
Gordon, Mr. A. D.
Guha, Mr. P. N.
Gurrer, Mr. C. W.
Habibullah, Nawab Khwaja.
Hogg, Mr. G. P.
Huq, Khan Bahadur Maulvi Ekramul.
Hussain, Maulvi Latafat.
Jenkins, Dr. W. A.
Laird, Mr. R. B.
Lamb, Mr. T.
Maguire, Mr. L. T.
Marr, the Hon'ble Mr. A.
Martin, Mr. O. S.
McCluskie, Mr. E. T.
Mitter, the Hon'ble Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. N.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Ordish, Mr. J. E.
Philip, Mr. J. Y.
Poddar, Mr. Ananda Mohan.
Prentice, Mr. W. D. R.
Rauf, Maulvi Syed Abdur.
Ray, Babu Surendra Nath.
Ross, Mr. G. F.
Roy, Mr. Bijoy Prasad Singh.
Sarker, Rai Sahib Rebati Mohan.
Sinha, Raja Bahadur Bhupendra Narayan.
Solaiman, Maulvi Muhammad.
Stapleton, Mr. H. E.
Tate, Major General Godfray.
Thomas, Mr. H. W.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Twynam, Mr. H. J.
Wordsworth, Mr. W. C.

The Ayes being 56, and the Noes 50, the following motion was carried:—

"That the demand of Rs. 1,96,000 under the head '22F.—Legislative Council' be reduced by Rs. 100 (to criticise the policy of Government regarding prospects of the ministerial officers of the Legislative Department, the principle regulating the number of lower division selection grade posts in the Department and the question of the ratio of lower to upper division posts as compared with the number of gazetted posts in the Department, and to enter an emphatic protest in that connection)."

The time-limit under the head "22.—General Administration" having reached the following motions were not put:—

Babu AMARENDRA NATH GHOSE: "That the demand of Rs. 1,96,000 under the head '22F—Legislative Council' be reduced by Rs. 2 (to urge for appointment of a Bengali Shorthand Reporter)."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 2,50,000 under the head '22B—Legislative Bodies—Elections for Indian and Provincial Legislature,' be reduced by Re. 1 (as a protest against the method of giving no notice to the voters individually)."

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 2,72,000 under the head '22G.—Civil Secretariat (Reserved)—Judicial, Political and Appointment Departments' be reduced by Rs. 35,000."

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 1,03,000 under the head '22G.—Civil Secretariat—Revenue Department' be reduced by Rs. 24,000."

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 2,93,000 under the head '22G.—Civil Secretariat (Reserved)—Finance, Commerce and Marine Departments' be reduced by Rs. 40,000."

Babu NALINIRANJAN SARKER: "That the demand of Rs. 2,93,000 under the head '22G.—Civil Secretariat—Reserved—Finance, Commerce and Marine Departments' be reduced by Rs. 100 to raise a discussion on the necessity of retrenchment in the provincial expenditure)."

Babu NALINIRANJAN SARKER: "That the demand of Rs. 2,93,000 under the head '22G.—Civil Secretariat—Reserved—Finance, Commerce and Marine Departments' be reduced by Rs. 100 (to criticise the rapidly growing practice of commuting pensions into lump capital payments)."

Babu NALINIRANJAN SARKER: "That the demand of Rs. 2,93,000 under the head '22G.—Civil Secretariat Reserved—Finance, Commerce and Marine Departments' be reduced by Rs. 100 (in order to criticise the administration of the Calcutta Port Trust with special reference to the financial position of the King George's Dock and general loan position)."

Babu PROMOTHA NATH BANNERJEE: "That the demand of Rs. 2,93,000 under the head '22G.—Civil Secretariat—Finance, Commerce and Marine Departments' be reduced by Re. 1 (to discuss about the policy of the Government for prohibiting salt manufacture by private persons for their own consumption)."

Dr. KUMUD SANKAR RAY, Babu AMARENDRA NATH GHOSE, Maulvi SYED MUHAMMAD AFZAL, Mr. A. F. M. ABDUR-RAHMAN, Kazi EMDADUL HOQUE and Maulvi KHORSHED ALAM CHOUDHURY: "That the demand of Rs. 15,000 under the head '22G.—Civil Secretariat—Reserved—Hill allowance' be reduced by Rs. 100 (to criticise the policy and principle of Government regarding the hill exodus of officers)."

Maulvi SYED MUHAMMAD AFZAL, Mr. A. F. M. ABDUR-RAHMAN, Dr. KUMUD SANKAR RAY, Babu AMARENDRA NATH GHOSE, Kazi EMDADUL HOQUE and Maulvi KHORSHED ALAM CHOUDHURY: "That the demand of Rs. 6,000 under the head '22G.—Civil Secretariat—Reserved—House rent and other allowances' be reduced by Re. 1 (to criticise the policy of house allowance being given only to gazetted officers and not to the ministerial officers)."

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 6,60,372 under the head '22G.—Civil Secretariat—Reserved—Pay and establishment' be reduced by Rs. 100 (to criticise the policy of Government regarding the pay of the lower division assistants of the Bengal Secretariat and the differential treatment accorded to the Legislative Department in regard to the prospect of the ministerial officers of that department)."

Maulvi SYED MUHAMMAD AFZAL, Mr. A. F. M. ABDUR-RAHMAN, Kazi EMDADUL HOQUE, Babu AMARENDRA NATH GHOSE, Dr. KUMUD SANKAR RAY and Maulvi KHORSHED ALAM CHOUDHURY: "That the demand of Rs. 6,60,372 under the head '22G.—Civil Secretariat—Reserved—Pay of establishment' be reduced by Rs. 100 (to criticise the policy of Government regarding the pay and prospects of the lower division assistants and typists of the Bengal Secretariat)."

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 8,31,000 under the head '22G.—Civil Secretariat (Reserved)' be reduced by Rs. 99,000."

Mr. SUBHAS CHANDRA BOSE: "That the demand of Rs. 8,31,000 under the head '22G.—Civil Secretariat—Reserved' be reduced by Rs. 100 (to criticise the message rate charged by the Bengal Telephone Corporation, Ltd.)."

Babu MANMATHA NATH ROY: "That the demand of Rs. 8,31,000 under the head '22G.—General Administration—Civil Secretariat (Reserved)' be reduced by Rs. 100. (Policy of recruitment for the Secretariat and condition of service)."

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 64,000 under the head '22H.—Civil Secretariat (Transferred)—Education Department' be reduced by Rs. 10,000."

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 84,000 under the head '22H.—Civil Secretariat (Transferred)—Local Self-Government Department' be reduced by Rs. 14,000."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 84,000 under the head '22H.—Civil Secretariat—Local Self-Government Department' be reduced by Rs. 5 (as a protest against the method and action of the Government as regards the nominations to District Boards, Local Boards and Union Boards)."

Babu AMARENDRA NATH GHOSE: "That the demand of Rs. 84,000 under the head '22H. Civil Secretariat—Local Self-Government Department' be reduced by Rs. 2 (for general discussion of policy)."

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 58,000 under the head '22H.—Civil Secretariat (Transferred)—Agriculture and Industries Department' be reduced by Rs. 8,000."

Babu NALINIRANJAN SARKER: "That the demand of Rs. 58,000 under the head '22H.—Civil Secretariat—Agriculture and Industries Department' be reduced by Rs. 100 (to raise a discussion on the desirability of the appointment, function and finance of a Jute Board for the improvement of the jute trade industry)."

Babu AKHIL CHANDRA DATTA: "That the demand of Rs. 58,000 under the head '22H.—Civil Secretariat—Agriculture and Industries Department' be reduced by Re. 1 (to protest against the half-hearted policy of the Department)."

Maulvi SYED MUHAMMAD AFZAL, Dr. KUMUD SANKAR RAY, Babu AMARENDRA NATH GHOSE, Mr. A. F. M. ABDUR-RAHMAN, Kazi EMDADUL HOQUE and Maulvi KHORSHED ALAM CHOUDHURY: "That the demand of Rs. 1,88,182 under the head '22H.—Civil Secretariat—Transferred—Pay of establishment' be reduced by Rs. 100 (to criticise the policy of Government regarding the pay and prospects of the lower division assistants and typists of the Bengal Secretariat)."

Babu MANMATHA NATH ROY: "That the demand of Rs. 2,58,000 under the head '22H.—General Administration—Civil Secretariat—Transferred' be refused."

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 2,58,000 under the head '22H.—Civil Secretariat (Transferred)' be reduced by Rs. 32,000."

Babu AKHIL CHANDRA DATTA: "That the demand of Rs. 2,58,000 under the head '22H.—Civil Secretariat—Transferred' be reduced by Re. 1 (to protest against the extravagancy)."

Babu AKHIL CHANDRA DATTA and Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 80,000 under the head '22I.—Board of Revenue' be refused."

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 80,000 under the head '22I.—Board of Revenue' be reduced by Rs. 20,000.

Babu AKHIL CHANDRA DATTA: "That the demand of Rs. 80,000 under the head '22I.—Board of Revenue' be reduced by Re. 1."

Babu AKHIL CHANDRA DATTA, Babu BIJOY KRISHNA BOSE, Mr. P. C. BASU, Srijut BIJAY KUMAR CHATTERJEE and Srijut RADHA GOBINDA RAY: "That the demand of Rs. 2,48,000 under the head '22K.—Commissioners' be refused."

Babu KHAGENDRA NATH GANGULY: "That the demand of Rs. 2,48,000 under the head '22K.—General Administration—Commissioners' be reduced by Rs. 2,00,000."

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 2,48,000 under the head '22K.—Commissioners' be reduced by Rs. 80,000."

Maulvi ABDUL KARIM: "That the demand of Rs. 2,48,000 under the head '22K.—Commissioners' be reduced by Rs. 100 (to discuss the top-heavy feature of the administration and to press for the abolition of the Commissioners' posts)."

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 2,48,000 under the head '22K.—Commissioners' be reduced by Rs. 100 (to raise a question of policy as regards the necessity of having such superfluous officers as Commissioners)."

Babu MANMATHA NATH ROY: "That the demand of Rs. 2,48,000 under the head '22K.—Commissioners' be reduced by Rs. 100. (Policy of further continuance of Commissioners)."

Srijut TARAKNATH MUKERJEA and Mr. P. C. BASU: "That the demand of Rs. 2,48,000 under the head '22K.—General Administration—Commissioners' be reduced by Re. 1 (to discuss the question of the abolition of these posts)."

Srijut JOGENDRA NATH MOITRA: "That the demand of Rs. 2,48,000 under the head '22K.—Commissioners' be reduced by Re. 1. (The posts are unnecessary)."

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs. 31,26,000 under the head '22L.—District Administration—Pay of Officers' be reduced by Rs. 76,000."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 31,26,000 under the head '22L.—General Administration—District Administration—General Establishment—Pay of Officers' be reduced by Rs. 100 (to draw attention to the paucity of Moslem officers in charge of sub-division)."

Babu ROMES CHANDRA BACCHI: "That the demand for Rs. 30,06,000 under the head '22L.—General Administration—Deputy and Sub-Deputy Magistrates' be reduced by Re. 1 (with a view to the abolition of Circle Inspectors of Union Boards)."

Babu NALINIRANJAN BARKER: "That the demand of Rs. 2,50,000 under the head '22L.—General Establishment—Servants' be reduced by Rs. 100 (page 102, Civil Estimate) (to discuss the pension and other conditions of service)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 27,51,400 under the head '22L.—General Administration—District Administration—General Establishment—Pay of Establishment' be reduced by Rs. 100 (to draw attention to the system in force for recruiting ministerial officers and disadvantages of Moslem community)."

Babu AMARENDRA NATH GHOSE: "That the demand of Rs. 3,05,000 under the head '22L.—General establishment—Diet and Travelling Allowance to witnesses' be reduced by Re. 1 (to discuss how payment is avoided in the lower court and sometimes that it is insufficient)."

Babu AMARENDRA NATH GHOSE: "That the demand of Rs. 80,000 under the head '22L.—General establishment—Process-serving charge' be reduced by Re. 1 (to discuss how the employees of Union Boards are poorly paid as remuneration for the processes)."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 3,19,000 under the head '22L.—General Establishment—Treasury Establishment' be reduced by Rs. 2 (to criticise the action of certain officers in the Tippera Treasury office)."

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 74,17,000 under the head '22L.—District Administration' be reduced by Rs. 2,50,000."

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 74,17,000 under the head '22L.—District Administration' be reduced by Rs. 100 (to raise the question of the efficiency or otherwise of district administration generally)."

Babu BEJOY KRISHNA BOSE: "That the demand of Rs. 74,17,000 under the head '22L.—District Administration' be reduced by Rs. 100 (to call attention to, among others, huge increase in establishment charges)."

Babu PROMOTHA NATH BANERJEE: "That the demand of Rs. 74,17,000 under the head '22L.—General Administration—General Establishment' be reduced by Re. 1 (to discuss about the appointment and duties of the circle officers)."

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 6,41,000 under the head '22M.—Subdivisional Establishment' be refused."

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 6,41,000 under the head '22M.—Subdivisional Establishment' be reduced by Rs. 30,000."

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 1,39,000 under the head '22.—Discretionary grant for heads of Provinces, etc.' be refused."

Babu NALINIRANJAN SARKER: "That the demand of Rs. 1,39,000 under the head '22O.—Discretionary grants for heads of Provinces, etc.' be reduced by Rs. 66,000."

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 1,39,000 under the head '22O.—General Administration—Discretionary grants for heads of Provinces, etc.' be reduced by Re. 1 (to discuss as to how these sums are spent)."

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 1,08,59,000 under the head '22—General Administration' be reduced by Rs. 40,00,000."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 1,08,59,000 under the head '22—General Administration (Reserved and Transferred)' be reduced by Rs. 9,50,000."

Babu NALINIRANJAN SARKER: "That the demand of Rs. 1,08,59,000 under the head '22.—General Administration' be reduced by Rs. 8,59,000."

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs. 1,08,59,000 under the head '22.—General Administration (Reserved and Transferred)' be reduced by Rs. 100 (to draw attention to the abnormal increase in establishment charges)."

Mr. A. K. FAZL-UL HUQ: "That the demand of Rs. 1,08,59,000 under the head '22.—General Administration' be reduced by Re. 1 (to express disapproval of the policy of the Government in ignoring the claims of the Moslems to services and employment under the Government)."

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 1,08,59,000 under the head '22.—General Administration' be reduced by Re. 1 (on the ground of this Council's want of confidence in the Departments concerned)."

Maulvi NURUL HUQ CHAUDHURI: "That the demand of Rs. 1,08,59,000 under the head '22.—General Administration' be reduced by Re. 1 (to express disapproval of the policy of the Government for its scanty recognition of the claims of rural and agricultural interests as compared with the urban and industrial interests in making provision in the budget for their respective welfare)."

Babu AKHIL CHANDRA DATTA: "That the demand of Rs. 1,08,59,000 under the head '22.—General Administration (Reserved and Transferred)' be reduced by Re. 1 (to criticise the general policy)."

The motion that a sum of Rs. 1,08,59,000, as amended by the Council, be granted for expenditure under the head "22.—General Administration" was then put and agreed to.

(At 4-25 p.m. the Council was adjourned for prayer and it reassembled at 4-40 p.m.)

Demands for Grants.

24.—Administration of Justice.

The Hon'ble Mr. A. N. MOBERLY: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 86,31,000 be granted for expenditure under the head "24.—Administration of Justice."

The following motions were called but not moved:—

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 80,500 under the head '24A.—Appellate Side—Registrar' be reduced by Rs. 100 (to raise the question of the establishment maintained on the Appellate Side)."

Babu KHAGENDRA NATH GANGULY: "That the demand of Rs. 1,68,600 under the head '24A.—High Court' be reduced by Rs. 25,000."

Babu MANMATHA NATH ROY: "That the demand of Rs. 1,68,600 under the head '24A.—Administration of Justice—High Court' be reduced by Rs. 100. (Effect of Bar Councils Act)."

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 20,000 under the head '24B.—Law Officers—Fees to pleaders other than Government servants' be reduced by Rs. 100 (to discuss the principle upon which such fees are paid)."

Babu KHAGENDRA NATH GANGULY: "That the demand of Rs. 5,41,000 under the head '24B.—Law Officers' be reduced by Rs. 66,000."

Babu BEJOY KRISHNA BOSE: "That the demand of Rs. 5,41,000 under the head '24B.—Law Officers' be reduced by Rs. 100 (on the ground that the expenditure can be much curtailed by studied supervision and greater economy)."

Babu MANMATHA NATH ROY: "That the demand of Rs. 5,41,000 under the head '24B.—Administration of Justice—Law Officers' be reduced by Rs. 100. (Policy of appointment of Law Officers)."

Babu MANMATHA NATH ROY: "That the demand of Rs. 1,22,000 under the head '24C.—Administration of Justice—Administrator-General and Official Trustee' be reduced by Rs. 100. (Policy of appointment of Administrator-General and Official Trustee)."

Babu KHAGENDRA NATH CANGULY: "That the demand of Rs. 2,24,000 under the head '24E.—Presidency Magistrates' Courts' be reduced by Rs. 53,000."

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 2,24,000 under the head '24E.—Presidency Magistrates' Courts' be reduced by Re. 1."

Maulvi TAMIZUDDIN KHAN: Sir, I beg to move that the demand of Rs. 25,30,000 under the head "24F.—Civil and Session Courts—Pay of officers" be reduced by Rs. 100 (to call attention to inconveniences of Muslim litigants, pleaders, and officers, in saying their prayers during court hours).

Sir, my object is to draw the attention of the Hon'ble Member in charge of the Judicial Department, and, through him, of the Government as a whole, to the sufferings of the Muslim litigating public as well as of Muslim officers and lawyers in respect of their daily prayers during court hours for want of suitable places of resort for the purpose. It is a pity that the Government do not yet appreciate the urgency of this question. It is still a greater pity that even a section of our close neighbours feign not to realise the importance of this question and is ever ready to throw dust in the eyes of the Government, so as to defeat our just claims. The other day, when this question was raised in connexion with a proposal for a token cut in the demand for grant for Land Revenue, my hon'ble friend, Babu Jitendralal Bannerjee, came up with a vehement opposition to my proposal, on the ground that if the Muslim demand for permission to erect mosques in the vicinity of court houses was acceded to, Government would be embarrassed with similar demands for the construction of *Kalibaris*, *Gurudwaras*, and other temples, for each of the innumerable religious denominations that are to be found in this country. I hope my friend did not speak on behalf of the Congress Party to which he belongs. I also hope that he did not give the Muslim members of this House an earnest of the kind of Swaraj which he and his party are trying to establish in this land. We can easily imagine how we shall fare under a system of government in which the school of political thought represented by Mr. Bannerjee may predominate. We shall not only have no mosques in the vicinity of court houses or other public places, but the unjust privileges—I mean, unjust according to Mr. Bannerjee—already granted by the present Government to the Muhammadans, such as the closing of courts for an hour and a half on Fridays, the provision made in this Council House for the saying of prayers by Muslims, and the similar provisions made in the Assembly and elsewhere, will all be swept away in the name of justice and nationalism.

Sir, we can very well appreciate the anxiety of Government not to be involved into trouble in a country rent asunder by communal jealousies and bickerings of the worst sort, but it is really difficult to guess the considerations which have induced Mr. Bannerjee to stand against our very modest demand and to conjure up imaginary difficulties, viz., that Sikhs, Saivas, Jains, and, in fact, the worshippers of the 9 crores and 36 lakhs of Indian gods and goddesses, will all come up with demands for the construction of their denominational temples. Whatever other considerations might have swayed Mr. Bannerjee, when he conjured up this imaginary bogey, we are sure it was not communalism, which has no power to pollute the souls of a section of our countrymen———

Mr. PRESIDENT: You may well leave out what another member had said, on another day, in connection with another motion.

Maulvi TAMIZUDDIN KHAN: Sir, these are some of the arguments which were advanced———

Mr. PRESIDENT: When you sent in notice of this motion, you gave certain reasons for bringing it forward. You wanted to call attention to certain inconveniences which are felt by the litigants of your community. I had no idea that you would make use of it to launch an attack on a member for having said certain things in regard to a previous motion of yours.

4-45 p.m.

Maulvi TAMIZUDDIN KHAN: May I speak on a point of order, Sir?

Mr. PRESIDENT: Is that point of order with reference to my ruling?

Maulvi TAMIZUDDIN KHAN: I do not know whether it is in reference to your ruling, but may I cite my point of order and then you may rule it out if you think proper. My point is this—may I not attack the view that may be urged against my point of view?

Mr. PRESIDENT: When a motion has already been disposed of by this House, it is not at all desirable that I should allow a member to raise a controversy over what another member had said with regard to it, while speaking on a different motion; there will then be no end of attacks and counter-attacks in regard to matters which are no longer before the House.

Maulvi TAMIZUDDIN KHAN: All right, Sir. It seems to me that the Government is being misled by imaginary apprehensions like what have been given promise of by certain members of this House on past occasions. Besides the Mussalmans, I think there is no religious community in this country which is required to perform and which in practice does perform prayers five times a day. There is no other section of the litigating and court-going public which has to say its prayers at least twice during office hours. Mussalmans alone are daily worried for suitable places of resort for saying their prayers while attending courts or offices in the mufassal. At one time they seek shelter from the burning sun under a casual banian tree, but when there is rain they are driven elsewhere, and thus from pillar to post and from post to pillar is their daily lot. My request to the Government is to give some relief to these men who may not count to-day because they are voiceless but who are the real producers of the country's wealth and who by the sweat of their brows supply the sinews that give strength to the tongue that vilifies them and opposes every attempt for the amelioration of their lot.

I do not know why in a matter like this the Government should be wedded to a policy which cannot be revised. Each case should be treated according to its own merits. If there is any Government land in the vicinity of the court houses and offices which may not be required for any court buildings that may be given if prayed for. If there is no suitable plots to be given some such provision, as is made for the Muhammadan employees of the Bengal Secretariat, may be made by setting apart certain rooms for prayer. We are not particular about mosques. We only want some protection from the sun and the rain. This again is required only in a few districts where there are no private lands and no mosques near the court houses. This is a matter in which I hope the attitude of the Government should be sympathetic.

The following motion was called but not moved:

Rai SATYENDRA NATH ROY CHOUDHURI Bahadur: "That the demand of Rs. 25,30,000 under the head '24F.—Civil and Session's Court—Pay of officers' be reduced by Re. 1 (to discuss the defects in recruitments and make suggestions)."

Babu JOGINDRA CHANDRA CHAKRAVARTI: I beg to move that the demand of Rs. 2,36,000 under the head "24F.—Civil and Sessions Courts—Pay of officers—District and Sessions Judges" be reduced by Rs. 100 (to draw attention to the practice still going on of junior civilian judges appointed as District and Sessions Judges.

Sir, in placing this motion before the House I revert to a very old complaint. The complaint was made on several occasions before on the

floor of this House. The practice to appoint junior members of the Civil Service as District and Sessions Judges is a practice that has been going on for a long time and it is due to this that anomalies exist by virtue of the continuance of this practice. Sir, I would not be very long on this motion, but I would only draw the attention of the Hon'ble Member-in-charge as well as of the members of this House to the fact as to whether litigants who come to the courts of justice can expect to have justice in the hands of persons who have had no training in law and no experience in judicial matters, more specially civil matters. We find, and as a matter of fact and those who have any experience of mufassal courts will agree with me when I say this, that we have to appear before gentlemen who have had no training in law or for the matter of that in any judicial matters and a good deal of difficulty has got to be experienced in explaining cases before these Civilian judges.

Mr. PRESIDENT: Are you going to make one speech on the three motions that stand against your name?

Babu JOGENDRA CHANDRA CHAKRAVARTI: I am not moving the other two but I shall incidentally touch upon them in my speech.

Having regard, therefore, to this point, if the Hon'ble Member-in-charge realises the importance of the fact that the people who come to the law courts must themselves feel that they are getting justice—the question that I want to put is as to why this practice should go on—the practice of appointing junior members of the Civil Service as District and Sessions Judges. In this connection I remember one gentleman, a Civilian judge, making a reference to this effect, and he said—Well, India is a wonderful country: I have been here for seven or eight years and during these seven or eight years, I have been a Subdivisional Magistrate, I have been a Settlement Officer, I have been an Assistant Magistrate, I have been an officiating District Magistrate and I now find myself elevated to the position of a District and Sessions Judge—and as my friend says in a few years' time he would be elevated to the Judgeship of the High Court. This is a thing which can happen only in India. One who has got to appear before these gentlemen naturally feel the difficulty of explaining cases to them. What I want to suggest in this connection is this that if the Government wants to continue this practice of appointing junior members of the Civil Service as District and Sessions Judges they must arrange for some sort of preliminary training for these judges. They should be first trained to try original suits; and perhaps the powers of a munsif should be given to them for some years and they should then be given to try cases of higher values and then they should be appointed District and Sessions Judges at least after 15 years of their service.

Sir, this is a system which was introduced at one time, but it has ultimately been given up; why it has been given up, I do not know.

There is another difficulty. These judges do not know the language of the country. They cannot make out anything out of the documents that are placed before them and having had no experience of the procedure of the civil law they find themselves in extreme difficulty in deciding cases. I remember that when an appeal case was being argued before a District Judge, he asked, before the arguments were finished, as to why these appeals were made before him and not direct to the High Court: he did not know that no appeal lies before the High Court for cases below Rs. 5,000. This particular Judge felt extreme difficulty in deciding the case which related to the shares of a deceased Muhammadan. I can multiply instances to show that as a matter of fact litigants who come before these judges do not go away with the conviction that they have been able to place their case before the judge who is going to decide their fate. I think it will be obvious to all members of this House that if in the domain of the administration of justice we do not want that injustice should be done to the people, then this system ought to be immediately changed and some method should be adopted of not placing these junior Civil Service men in charge of districts.

Sir, I may mention in this connection that members of the Provincial Judicial Service are now being given appointments as District and Sessions Judges; but these gentlemen who are given these appointments—it is a matter of common knowledge—are appointed to these posts at a time of their life when they are practically going to retire and only before two or three years of their retirement. There is absolutely no reason why they should not be appointed earlier. These gentlemen who have passed their whole life in the administration of justice—what is their position when a junior Civilian is placed over them, who has no experience or training but who has the power of overruling the decisions of old and experienced judges. This is also a very old grievance, and I would not have reverted to this matter unless I felt that it was a matter which could not be passed over in the interests of the administration of justice and this is a matter which should be immediately remedied.

Then, Sir, I may be permitted to refer to some incidents in my own district in connection with motions 409 and 410. I do not want to elaborate them but I want to say that the judicial administration ought to look to these inconveniences. It is the practice of placing one District Judge in charge of three districts, a practice which can by no means be supposed to be for the good administration of justice. I will not elaborate this point at length, but I would only draw your attention to a few sentences from the report of Mr. Justice Ghose in connection with his inspection of the district of Dinajpur———

5 p.m.

The inspection report says:—"The Government Pleader told me that in some sessions cases he felt that he had not been able to impress the jury by his address within the time allotted. The Judge, however, told me that if he does not finish a case within the time allotted, other cases would have to be postponed as he has to leave that district on a fixed date, and the under-trial prisoners would have to remain in jail for a further term. With regard to criminal appeals also the Judge fixes a period of hearing of each case. This may not be always disadvantageous to experienced pleaders, but the juniors feel that they had no opportunity of properly arguing their cases. The pleaders, however, do not complain against the Judge who is popular with the Bar and whom they see to be working hard. They, however, complain against the system of having one Judge for three districts which leads to this result."

This is another matter to which I beg to draw the attention of the Hon'ble Member-in-charge. As a matter of fact attention has been drawn to this matter some time ago, but up till now this thing has not been remedied, and we are feeling the inconvenience of having one Judge for three districts, and I hope this is a matter which will be remedied shortly.

The following motions were called but not moved:—

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs. 2,36,000 under the head '24F—Civil and Sessions Courts—Pay of officers—District and Sessions Judges' be reduced by Rs. 100 (to draw attention to one Judge in charge of three districts—Dinajpur, Jalpaiguri and Darjeeling)."

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs. 2,36,000 under the head '24F.—Civil and Sessions Courts—Pay of officers—District and Sessions Judges' be reduced by Rs. 100 (to draw attention to want of accommodation of Sub-Judge's Court at Jalpaiguri and Additional Courts at Dinajpur)."

Srijut NAGENDRA NATH SEN: Sir, I beg to support the motion of Mr. Chakravarti. In our younger days we heard of a District and Sessions Judge of Patna, which was then under the Lieutenant-Governor of Bengal, who said to his Peshkar when a civil suit was placed before him: "Issue notice to the defendant giving an adjournment to file his written statement." That is the type of some of the judges who are called upon to preside over the civil administration of a district. The fault is not certainly theirs. Of course, when they pass the Indian Civil Service examination, they are certainly required to undergo a course of lectures in the Civil Procedure Code and the

Indian Evidence Act. When they are posted after their arrival here, they are not entrusted with any civil judicial work but are given other administrative work. They are first given criminal work, revenue work, and during the first four or five years of their service, they have absolutely no opportunity of learning civil work. When they are engaged in revenue or criminal work, they have no doubt an opportunity of weighing evidence and coming to conclusions under the Indian Evidence Act. So when they are made District and Sessions Judges and are called upon to administer civil justice according to the law of the country, and to sit in appeal over the decisions of experienced munsifs and subordinate judges in suits valued between Rs. 1,000 and Rs. 5,000, they find themselves at sea. The fault is not certainly theirs, because they are simply called upon to do the work by the higher authorities, for which they have absolutely no training, no aptitude and no regard. Civilian judges sit in appeal and supervise the work of experienced subordinate judges of 20 or 25 years' standing. What a galling experience indeed to these experienced officers—officers younger than their sons are placed over their heads, simply to maintain the British character of the administration. Because they are Indian Civil Servants, they have crossed the *Kalapani*, they are therefore competent to do every sort of work. We knew in our younger days that before an I.C.S. was called upon to do the work of a District Judge, he had to undergo some training as District Magistrate, which had some sobering influence upon his temperament and his character, and his judgments were expected to be sober. Instances are now-a-days frequent in which Civilians of five or six years' standing are made District Judges. This is a thing which ought to be avoided. I have a motion—No. 423—in which I propose that all District and Sessions Judges should be Indians. In connection with the motion now before the House, I beg to submit before the members of this House that if the practice of appointing junior Civilians as judges could not be avoided, the only other possibility before any fundamental change is made in the Government of this country, is that all the District and Sessions Judges should be Indians, recruitment being from the Bar and from the Subordinate Judicial Service.

The Hon'ble Mr. A. N. MOBERLY: I rise on a point of order, Sir. Will the member be allowed to move his motion No. 423 after he has spoken on it?

Mr. PRESIDENT: Mr. Sen, on which motion are you speaking?

Srijut NAGENDRA NATH SEN: Sir, I am speaking on motion No. 408.

Mr. PRESIDENT: Better do that.

Srijut NAGENDRA NATH SEN: The question that all District Judges should be Indians. Another ground which I beg to submit is that there should be more recruitment from the Bar and from the Provincial Civil Service. Government have tried the experiment of appointing members of the Bar direct as District and Sessions Judges, and the experiment has not failed, and if that experiment has not failed and as there is a general sense of dissatisfaction against the policy of appointing junior Civilians as District Judges———

Mr. PRESIDENT: Please stick to motion No. 408.

Srijut NAGENDRA NATH SEN: The Bar is in this country a strong one, and as regards its efficiency, there can be no two opinions about it. If the Bar is a trained one, and if its members are made District Judges, there seems no reason why junior Civilians should be pitchforked when better men are available.

Mr. J. CAMPBELL FORRESTER: Sir, the Hon'ble Mr. Marr is a man who is particular about phrases and figures. I beg to call his attention to the heading of this grant; page 55: "Administration of Justice." This ought to be altered to "Administration of Law." Law is administered daily in the courts, but it is not so with Justice. It is therefore a misnomer to use the expression "Administration of Justice." Therefore, I would ask the Hon'ble Member to keep this in mind and have it rectified next year.

The following motion was called but not moved:—

Babu NALINIRANJAN SARKER: "That the demand of Rs. 1,79,156 under the head '24F.—Civil and Sessions Court—Servants' be reduced by Rs. 100 (to discuss the pension and other conditions of the service)."

The Hon'ble Mr. A. N. MOBERLY: Sir, will these motions be voted upon separately?

Mr. PRESIDENT: Yes.

The Hon'ble Mr. A. N. MOBERLY: The first motion is No. 406. I understand that the question of providing mosques in the vicinity of courts was raised the other day and dealt with by my friend Sir Provash Mitter. It is therefore not necessary for me to say very much.

The policy of Government is as follows: Whilst they have much sympathy with Muhammadans, they feel that cutchery compounds

and cutchery buildings are the property of the public generally and that no parts of these compounds can be consecrated to the use of any particular section of the public to the exclusion of others. It is not only one community which suffers by this policy but all communities. Only within the last two months I have had to refuse an application of the Hindu community to hold a certain ceremony in a certain civil court compound. The position of Government is that once they allow facilities of this sort to one community, they must allow them to all; and as has been indicated, this would be liable to cause a good deal of trouble. Government are quite sympathetic with all communities in carrying out the ceremonies enjoined by their religion; but they do not think that cutchery compounds or cutchery buildings are the proper places for such ceremonies.

As regards land in the neighbourhood of cutchery compounds which are not part of the compound, I take it that it will be treated like any other khas mahal land. That is not a matter within my province, but a matter for the Hon'ble Sir Provash Chunder Mitter.

I now come, Sir, to the question of junior officers of the Indian Civil Service trying civil cases. This system, as has been admitted, has the sanction of antiquity. I admit that when officers of the Indian Civil Service are first appointed to try civil suits, they are not experienced in civil law. They have, however, had a training in other directions as subdivisional officers, as settlement officers, and in some cases as district magistrates, which enables them to weigh evidence. As has been pointed out by Mr. Campbell Forrester, the chief object of a court is to administer justice; law is essential but justice is more essential still; and I think with the strong Bars which we find in Bengal, an inexperienced officer will be kept very straight as regards law. What he chiefly requires is to arrive at an impartial finding on the facts. I expected, as this motion has been brought up many times before, that this time at least the mover would have adduced statistics, to show that the judgments of Civilian judges are reversed in a very large proportion of cases and that the other judges can make their decisions watertight. But no such statistics have been brought before us.

Then, Sir, it has been suggested that their places should be filled by recruitment from the Bar and from the Bengal Civil Service. Well, Sir, the members of the Bar are undoubtedly very strong in their law, but they have no training as regards the weighing of evidence.

5-15 p.m.

Of course there is no doubt that they weigh evidence from one point of view, but that is from the point of view of a party to a case

and not from the point of view of a judge, and I maintain that it is a very different matter—to weigh evidence as a partisan from weighing evidence as a judge. I do not suggest that recruitment from the Bar has not been a success. I am merely developing the point that nobody makes a first class judge all at once. Then the example of the Bengal Judicial Service was cited. In the debate which took place two years ago, one of the members who was speaking on a motion of this kind, pointed out, or rather admitted, that the officers of the Bengal Civil Service (Judicial) had had no training whatever in trying criminal cases. At any rate a junior Indian Civilian judge has had that.

The next point was that a Civilian becomes a pucca District and Sessions Judge within five years of the beginning of his service. That, Sir, is an entire misstatement of fact. No officer can be confirmed as a District Magistrate or a District Judge until he has put in 12 years' service.

Then, Sir, I was amazed to hear a statement from one member that training as a District Magistrate was an excellent training for a District Judge. I agree that it is an extremely good thing that officers who have to sit on the judicial bench should have had a certain amount of executive training, but I never expected that argument from that side. (Right.)

Then, Sir, the language difficulty is being solved. The junior Civilian from Europe has, of course, to pass language examinations, and I think as subdivisional officer and settlement officer he picks up a good deal of Bengali. But if members will examine the Civil List, they will find that an increasing number of officers, who are being appointed to the Indian Civil Service and to the judicial branch thereof, are Indians and Bengalis. At the present moment we have 19 officers of the Bengal Judicial Civil Service acting as Additional District and Sessions Judges. The number of junior European officers of the Indian Civil Service, acting as District and Sessions Judges, is at the present moment very small indeed, and is on the decrease. I do not think there is any ground for moving the Secretary of State to alter the present arrangements.

One case has been mentioned of a Judge who fixed a time-table, saying that certain cases must not take more than 10 minutes and certain other cases a quarter of an hour. I notice that the learned Judge who went on inspection to the district did not consider it to be altogether a bad thing. Such a rule is, of course, not sanctioned by Government, but I gather from the inspection note which was quoted at length that the learned Judge who made the inspection considered that if a time-table had been laid down and a certain amount of latitude had been given, as you, Sir, sometimes give us an extra two

minutes at the end of our speech, it would have met the case. I am sure that the District Judge would have given such latitude if he had been asked to do so.

Then, Sir, there remain motions Nos. 409 and 410.

Mr. PRESIDENT: I may say that these motions were not moved.

The Hon'ble Mr. A. N. MOBERLY: A reference was made to them. I quite admit that the people of every district would like to have a complete staff of District Judge, Sub-Judge and Munsifs, but, Sir, there is not enough work in some districts for a complete staff, and in others there is more work than the existing staff can manage. We have constant calls on us for more judges and sub-judges and we supply them where we cannot help it and we reject the request in other cases. We have had to provide more than two lakhs for this extra staff, and we must try to keep our expenditure within this amount as far as possible.

As regards the question of buildings, the position is the same not only in regard to judicial buildings but in regard to buildings required by other departments. I admit, Sir, that in the mufassal in many cases these buildings are a disgrace, but, Sir, we have very limited means and all expenditure on the reserved side is most jealously and suspiciously scrutinised. All that we can do is to put in one or two of the most urgent schemes for each department. We have in the Judicial Department a proposal for the court of a sub-judge at Jalpaiguri. We have not one for Dinajpur yet. The Jalpaiguri scheme has been placed 14th in the list in order of urgency; and we have only one scheme in this year's budget. I am afraid the others will have to wait—not that I do not sympathise with them, but they are beyond the reach of practical politics.

I oppose these motions.

The motion of Maulvi Tamizuddin Khan was then put and a division called for.

Mr. P. C. BASU: Sir, would it not be better to take the division by a show of hands. This will save the time of the Council.

Mr. PRESIDENT: I have not found that convenient in the past, but in the present case there is some justification in taking the division by a show of hands.

(As more than seven members raised their hands the Hon'ble the President asked the House to divide.)

The result of the division is as follows:—

AYES.

Ahamad, Maulvi Asimuddin.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Farequi, Khan Bahadur K. G. M.
Ghuznavi, Alhadj Sir Abdelkerim.
Habibullah, Nawab Khwaja.
Haque, Khan Bahadur Maulvi Azizul.
Hosain, Nawab Musharruf, Khan Bahadur.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Khan, Mr. Razaur Rahman.
Sattar, Khan Bahadur Abdus.
Sattar, Mr. Abdeel Razak Hajee Abdeel.

NOES.

Blair, Mr. J. R.
Casselis, Mr. A.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Clark, Mr. I. A.
Dash, Mr. A. J.
Drummond, Mr. J. G.
Ghose, Mr. M. C.
Goenka, Rai Bahadur Badridas.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Hogg, Mr. G. P.
Jenkins, Dr. W. A
Maguire, Mr. L. T.
Marr, the Hon'ble Mr. A.
Martin, Mr. O. S.
McCluskie, Mr. E. T.
Mitter, the Hon'ble Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. N.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Ordish, Mr. J. E.
Philip, Mr. J. Y.
Prentice, Mr. W. D. R.
Ray, Babu Surendra Nath.
Rese, Mr. S. F.
Sarbadhikari, Dr. Sir Deva Prosad.
Sarker, Rai Sahib Rebati Mohan.
Sen, Mr. Satish Chandra.
Sinha, Raja Bahadur Shupendra Narayan, of Nashipur.
Tate, Major General Godfrey.
Thomas, Mr. H. W.
Twynam, Mr. H. J.
Wordsworth, Mr. W. C.

The Ayes being 13 and the Noes 33 the motion was lost.

The motion of Babu Jogindra Chandra Chakravarti was then put and lost.

Maulvi TAMIZUDDIN KHAN: I beg to move that the demand of Rs. 1,28,000 under the head " 24F.—Civil and Sessions Courts—Allowance to jurors and assessors " be reduced by Rs. 100 (to draw attention to the system of recruitment of jurors and the inadequacy of the number of Moslem jurors).

My object in moving this motion is to draw the attention of Government to the system of recruitment of jurors and assessors. These are men who are selected to perform a very important and sacred public duty and therefore it will be admitted on all hands that every care should be taken to select the proper kind of men. The system of trial by jury has been widely introduced into this country since only a few years ago and on the whole it must be said that it has been working satisfactorily, but I think that on account of the fact that proper care and caution is not taken in recruiting jurors and assessors, sometimes the result is unsatisfactory and failure of justice may have occurred now and again. I do not like to dilate on this point because it is admitted on all hands that we should have the best kind of people on the list of jurors. I shall only make some suggestions by which I think the system of recruitment can be improved to a certain extent.

We see that there are union boards throughout the province and in each union board there are six elected and three nominated members of whom one is a chairman and one a vice-chairman. If the chairmen and vice-chairmen of these union boards are selected as jurors and also some of the members of these boards. I think that the full number required in a district can be had out of these men. I do not suggest that it should be made a hard and fast rule because there may be undesirable persons in a union board who may not be appointed a juror. But if such a procedure is adopted I think we shall have on the whole a better class of people than are to be found at present on the list of jurors. Government nominate three members on each union board. I do not think that the care and caution that is taken in nominating members of union boards is taken in selecting jurors. If the same attention was bestowed in the selection of jurors it would be far better for the country. That is my first point.

My second point is—I am sorry to have recourse to a communal strain now and again, I have to do it, because I am in the unfortunate position of being compelled to do so. Here again I say that so far as the lists of jurors are concerned in the various districts the number of Muhammadans on them is very small. It will be said perhaps that it is nothing but ultra-communalism to demand a proportionate share of Moslems on the lists of jurors but I think otherwise. The principle underlying the system of trial by jury is this: that the trial should be by the equals of the accused persons. If that principle is accepted I think the Muhammadans should have an adequate representation on the lists of jurors in the various districts. I do not suggest that a Hindu is not equal of a Muhammadan and that he cannot under any circumstances try a Muhammadan accused, but if we are to look at the question from a broad point of view I think there is no reason why there should not be an adequate number of Muhammadans.

It cannot be said that a number of good and competent Muhammadans is not available. Muhammadans may not be available for high appointments in which technical qualifications, scientific knowledge or expert training may be required, but this is a field where what is wanted is a degree of commonsense and honesty. Therefore I think a large number of Muhammadan jurors is surely available, and I do not know why proper care should not be taken to see that there is an adequate representation of Muslims on the lists of jurors.

If we look at the lists of jurors of the various districts of this province we find that in the district of Faridpur, there are 608 non-Moslem jurors whereas there are only 296 Moslem jurors; in the district of Dacca again there are 661 non-Moslem jurors and 369 Moslem jurors; in the district of Khulna 855 non-Moslem jurors and 173 Moslems; in Jessore 1,329 non-Moslem and 366 Moslem jurors; in Nadia 552 non-Moslem and 134 Moslem jurors; in the 24-Parganas

I,687 non-Moslem and 209 Moslem jurors; in the Tippera district 925 non-Moslem and 328 Moslem jurors. I quote the figures for only some of the districts.

Dr. BIDHAN CHANDRA ROY: Has the member got the figures showing the community of the accused?

Maulvi TAMIZUDDIN KHAN: An enquiry has been made regarding figures of accused. I have not got those figures but if I had collected them I am sure that so far as these are concerned the Muhammadans would form a very overwhelming majority. (Laughter.) They are glad over this, but I am really sorry that matters stand thus. But that only proves my point. As the accused persons in this province are mostly Muhammadans there is no reason why there should not be an adequate number of their equals in all respects to try them. (Cries of "Communalist.") I am sorry I cannot but be a communalist in view of the fact that the country is full of communalism, that there is rank communalism even in quarters where it is the least professed. Therefore I cannot but take pains to press the Muhammadan point of view whenever I think it my duty to do so, and to see that Muhammadans do get justice in every walk of life in this province.

Babu PRABHU DAYAL HIMATSINGKA: May I enquire if jurors are paid?

The Hon'ble Mr. A. N. MOBERLY: I entirely agree with the mover of the motion that the selection of jurymen is a matter of the most vital importance, and the importance of the matter has always been recognised by Government. As far back as 1865 Government laid down that the duty of selecting jurors should not be delegated to any incompetent or irresponsible subordinate and that every endeavour should be made to bring into the lists only respectable and intelligent men of all classes. It was added that it was the duty of those responsible for the preparation of the lists to represent and practically to treat the duty of a juror as one of great responsibility and trust and to make the jurors feel that their co-operation in the administration of justice is sought for as a means of conferring a benefit on their countrymen and not merely to assist the judges in their labours. These remarks were reiterated in 1892 and again in 1920 when the jury system was widely extended in Bengal, and in the latter year it was ordered that a deputy collector should be placed in charge of the compilation of the list and that the help of touring officers, sub-divisional magistrates and circle officers should be utilised in its preparation. The object of the preparation of the jury list is to get the best men possible from all communities. Government are fully alive to the necessity of this. It is possible that in some cases juries may have

been perverse. Bengal is not the only place where this happens; it has been known to happen in England before now. As far as I know however the general standard of jurors in Bengal is entirely satisfactory. I do not think that it would be much use for Government to depart from the principles which have been laid down, namely, that efforts should be made to get the best men possible in order to introduce other principles with a view to securing the proportionate representation of different communities. To-day we are asked by the Muhammadans to give them a certain proportion and another day the depressed classes may make a similar request and so it will go on. I think the Council would be well advised to leave the matter where it is. I beg to oppose the motion.

The motion of Maulvi Tamizuddin Khan was then put and lost.

5-45 p.m.

The following motions were called but not moved:—

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 4,15,000 under the head '24F.—Civil and Sessions Courts—Remuneration to Copyists' be reduced by Rs. 100. (Improvement of conditions of service of typists and copyists)."

Babu NALINIRANJAN SARKER: "That the demand of Rs. 10,84,000 under the head '24F.—Civil and Sessions Courts—Process Serving Establishment Peons' be reduced by Rs. 100 (to discuss the pension and other conditions of the service)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 34,95,701 under the head '24F.—Civil and Sessions Courts—Pay of Establishment' be reduced by Rs. 100. (System of recruitment of clerks and inadequate representation of Muslims in ministerial establishment)."

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 71,69,000 under the head '24F.—Civil and Sessions Courts' be reduced by Rs. 100 (to raise a discussion on the general principle and administration of the department)."

Babu KHAGENDRA NATH GANGULY: "That the demand of Rs. 3,45,000 under the head '24G.—Courts of Small Causes' be reduced by Rs. 18,000."

Babu MANMATHA NATH ROY: I beg to move that the demand of Rs. 3,45,000 under the head "24G.—Administration of Justice—Court of Small Causes" be reduced by Rs. 100. (Policy of appointment of Small Cause Court Judges).

Sir, I have brought forward this motion to raise the question of the policy that is adopted in the recruitment of the Small Cause Court Judges. It is known to all of us that the recruitment is made from the members of the Bar who have been trained in England; one post is no doubt reserved for the members of the Judicial Civil Service; and the question that I want to raise before the House is—why the Judgeship of the Court of Small Causes should be barred against members of the Bar who are trained in this country—I mean those who were formerly vakils and who are now advocates as a result of the passing of the Bar Councils Act. Comparisons are always odious, but it can never be disputed that the members of the Bar who are trained in this country are certainly as qualified as those who are trained in England. I do not know why the former should be scrupulously avoided in the matter of recruitment to the judiciary of the Small Cause Court. The Hon'ble Mr. Moberly will possibly point out that it is the tradition of that court, but it is time that those traditions should go, and it is certainly in the interests of better justice and better administration of justice that the Court of Small Causes so far as its judgeship is concerned should be thrown open to all members of the Bar, whether trained in this country or in England.

The Hon'ble Mr. A. N. MOBERLY: Sir, I never heard of the alleged tradition. As far as I know, the judgeships of the Court of Small Causes are open to members of the Bar who are trained in India just the same as to any other members of the Bar. The number of appointments is not very large, and the principle followed has hitherto been not to look to the place of recruitment but to attempt to get the best men. We shall continue to try and get the best men, but I can assure the mover that there is no objection whatever—and if there has been any tradition it is not my tradition—to any member of the Bar whether trained in England or here. I hope, therefore, that the mover will withdraw his motion.

Babu MANMATHA NATH ROY: May I ask a question to the Hon'ble Member? Has there been any instance in which a member of the Bar trained in this country has got even a temporary judgeship of the Court of Small Causes?

The Hon'ble Mr. A. N. MOBERLY: I cannot say, Sir. There is no reason why he should not. I am told, however, that Mr. Chippendale was recruited from the Indian Bar.

The motion of Babu Manmatha Nath Roy was then put and lost.

The following motion was called but not moved:—

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 86,31,000 under the head '24.—Administration of Justice (Reserved)' be reduced by Rs. 1,15,000."

Babu NALINIRANJAN SARKER: I move that the demand of Rs. 86,31,000 under the head "24.—Administration of Justice" be reduced by Rs. 1,000 (to criticise the control of the Government and administration of the High Court).

Sir, I confess I am in the most unenviable predicament, while speaking on this motion, and nothing but a sense of duty and that of the importance of some of the issues I am raising, induce me to speak. The motion relates only to the administrative control of Government over the High Court. It is not, nor can it be, my intention to criticise any Hon'ble Judge or his judicial action. I recognise fully that no one in this House should do anything to impair the dignity of the High Court. I share with the Hon'ble Chief Justice the belief that His Majesty's subjects in every Indian community ought to regard the High Court as a bulwark of their rights and a defence against oppression; and that any policy which might have the effect of undermining the trust which is reposed in that Court or shake the confidence of the people in the independence and impartiality of its Judges would be inimical to the maintenance of law and order, and would jeopardise the due administration of public affairs in India. But at the present time when both Constitution and jurisdiction are in the melting-pot, it is well that this House should make clear its opinion on a matter of such vital importance. Sir, the question that arises and must be tackled is whether the High Court at Fort William should continue under the present system of dual control or whether it should be under that of the Central Government as suggested by the Hon'ble Chief Justice and other Judges before the Simon Commission or whether it should be under the administrative control of the Provincial Government, as in Bombay, Madras, etc., with proper safeguards, of course. In discussing this question groundless apprehensions and irrelevant prejudices might easily be allowed to cloud our judgment. Naturally the Chief Justice and the puisne Judges of the High Court constitute in themselves a body, whose opinion must have a paramount significance in making the final decision. But, Sir, the trend of opinion amongst the judges is such that I feel it to be very important that this Council should emphasise what in its opinion is the proper course to adopt. There Lordships of the High Court seem to be in no doubt that dual control is undesirable, to which opinion we also subscribe. They maintain that the authority of this Council would have undesirable effects on the administration of justice. They urge that on the

demand of any one of the votable items concerning the High Court "it is possible for any member of the Bengal Legislative Council to launch an attack on the High Court under the guise of discussing the demand in question." They also feel that when the change is made, "transferring the High Court to the authority of the Government of Bengal, it would be open to any future Governor or Member of Council in charge of the Judicial Department or any Member of the Bengal Legislative Council in sympathy with dissatisfied legal practitioners, to move for records, returns and statements from the High Court as to the manner in which the judges discharged their judicial functions, and if unhappily this state of things came into existence no self-respecting man would care to occupy for a single instant the position of a Judge of the High Court."

No one either in this House or outside will deny or even forget for a moment that nothing should be done which would have the effect of dragging the High Court into the domain of politics and that the High Court must be set up on a pedestal with a halo of its own. This is a general proposition which will obtain ready and unanimous acceptance. But is it good logic to assert that to achieve this end the High Court should be subject to external authorities like those at Simla or Delhi? Sir, I feel I can urge quite legitimately that dignity, impartiality of administration and command of popular confidence though enjoyed in the past in ample measure by the High Court of Fort William is not a monopoly of the judges who constitute that High Court. The other High Courts in India and the judiciary in other countries of the Empire and the world enjoy this fair name in equal measure, and I do not know that in these countries the fiscal and administrative independence of the High Court of local authorities and local Government is considered essential for preserving the dignity or integrity of the High Court.

Sir, may we enquire if the impartiality and dignity of the High Court of Justice of England is impaired because of its location near the Houses of Parliament.

The fair name of the judiciary is the very breadth of every body politic. Modern political science has consistently driven this truth into the popular mind. And to reconcile it with the sovereign authority of the people, the only principle adopted and scrupulously respected is, that judges should hold office during good behaviour and not under pleasure. Their removal, when it becomes imperative, may be effected only on a successful motion in both Houses of the legislature where they exist. In the absence of the bicameral system in this country a substantial majority may be insisted upon for such removal if it is necessary. And these constitutional provisions together with laws regarding contempt of court and the popular sense of respect and awe for the judges as well as rules of procedure in the

Council, these are all that shall be necessary to create the requisite environment for the judiciary. The rest depends on the personnel as now. There is really no apprehension of misuse of powers and relations in the form of control suggested by me. It is then up to the judges, by keeping aloof from the members of the executive, from avoiding political and even social life, from keeping an attitude of dignified reserve to instil a sense of awe into the minds of the whole nation and preserve it by scrupulously adhering to the spirit of the law and the principles of equity. If the standards of judicial integrity unfortunately begin to deteriorate which, I presume, is not the case, then the country is heading for ruin. Any such deterioration is often imperceptible; but its cumulative effect is so grave that one has, so to say, to be protected against one's self. Trifles, light as air, have incredible weight and surpassing significance in certain circumstances. We have heard of a Chief Justice who declined invitations to dine at the Government House because the host was the head of the Executive. We have heard of another who would not close the High Court in view of the holding of the Delhi Durbar, because he did not feel bound to carry out the behest of a Governor-General. But one may be tempted to enquire whether with the change of time and the stiffening of the spirit of co-operation amongst the powers that be, those estimable gentlemen would not be considered back numbers. Would they have stayed away from the High Court to give a lunch to a Governor-General, or even think of waiting on a Governor with a cup of tea in the sacred precincts of the High Court itself?

The point is that a complete separation of both official and social relations between the judiciary and executive must remain, if the confidence of the people in the former is to be maintained. It has on more than one occasion been cogently urged in the Councils that judges should even refrain from serving as members of committees of enquiries appointed by the executive to whitewash their actions or otherwise.

The main anxiety of the Hon'ble Chief Justice in his memorandum submitted to the Simon Commission is how to keep the High Court beyond the reach of this Council in order to maintain its dignity. Has he ever enquired why the confidence which the public had in the past in the High Court is fast disappearing? With due respect to his authority may we enquire how he can reconcile this suggestion for maintaining such dignity of the High Court with his view that the Chief Justiceship should also be thrown open to members of a Civil Service with all its traditions of subserviency to the ruling powers, in addition to the privilege they already enjoy of having a third of the number of judges being recruited from their ranks? Dignity is as brittle as it is precious, and requires the greatest of care in

handling, in order to remain undamaged. This dignity may, I submit, in passing, require that even an accused should be addressed in dignified language not to speak of members of the Bar. It is obvious that the mere transference to administrative control from the Provincial to the Central Government will not be conducive to the creation and maintenance of such dignity.

6 p. m.

Before I close I must refer to the policy of recruitment and say to what extent it is affected by the control of Government over the High Court. The first principle should be that none but a practical lawyer of outstanding merit with a recognised status in the profession should be appointed. One-third of the number of judges under the present system is recruited from the members of the English Bar——

SECRETARY to GOVERNMENT, JUDICIAL DEPARTMENT (Mr. M. C. Ghose): Sir, I rise on a point of order. How is the constitution of the High Court relevant?

Mr. PRESIDENT: The question of recruitment may be touched upon under this motion only because the member gave notice of his intention to criticise the control of the Government and administration of the High Court. He will be in order if he wants to criticise the policy of recruitment or show that the control of the Government has affected, one way or the other, the recruitment of judges.

Babu NALINIRANJAN SARKER: Sir, from the trend of my speech you will see how recruitment has been affected. In practice, Sir, it has degenerated into finding places on the bench for Englishmen not of outstanding qualities———

Mr. M. C. GHOSE: This, Sir, I submit, is not relevant to the motion before the House. The member, so far as I understand him, is going to criticise a certain Bill which is before the Imperial Parliament at the present moment.

Mr. PRESIDENT: Mr. Ghosh, I have already given my decision on the point. Mr. Sarker can criticise the policy of recruitment and also endeavour to show that because of the control of the Government, recruitment has been affected one way or the other. He has not said anything about any Bill. But I am prepared to hear you, Mr. Ghosh, if you have any further objection to raise.

Mr. M. C. GHOSE: What I mean is that this House is not concerned with the recruitment of members of the High Court. The question whether the 15 judges of the High Court should be recruited from the English Bar or from the Indian Civil Service or from the Indian Bar, is a matter for consideration of another Parliament and not of this House.

Mr. PRESIDENT: I am afraid you have not been able to make out a point. I think if you allow the speaker to go on a little further you will be in a better position to judge about the relevancy of his remarks.

Babu NALINIRANJAN SARKER: Sir, as I was saying, in practice it has degenerated into finding places on the bench for Englishmen not of outstanding qualities and practice, since such will never come out to India, but of mediocre abilities and obscure rank.

Mr. PRESIDENT: How does the control of Government come in here?

Babu NALINIRANJAN SARKER: Sir, we want the control ourselves.

Mr. PRESIDENT: That may be, but having referred to the control of the Government in this connection it is incumbent on you to show how the control of Government operates in this matter.

Babu NALINIRANJAN SARKER: I bow to your ruling, Sir.

Mr. M. C. GHOSE: Under the rules, Sir, criticism of the policy of courts of justice is forbidden in this Council.

Mr. PRESIDENT: That question does not arise. The member has not till now infringed any rule.

Mr. M. C. GHOSE: Sir, I may put it in this way. Mr. Sarker is indirectly criticising the judges. For instance, some of the judges are recruited in England. He has just said that they are recruited from among the mediocre members of the English Bar. In this way, he is casting reflection on the judges.

Mr. PRESIDENT: Mr. Ghosh, I do not think you are right. Your point was whether the member could say anything about recruitment, and my decision was that although the question of recruitment does not directly come under the motion before the House, yet the reasons of which due notice was given by the member are elastic enough to cover reasonable criticisms on that subject.

Mr. M. C. GHOSE: I accept your ruling, Sir. But my proposition is that no indirect attack should be made to criticise the Judges of the High Court.

Babu NALINIRANJAN SARKER: Sir, Indian barristers of exceptional merit have practically ousted English barristers from the field of open competition. The nation which can boast of a Muthuswamy Iyer, a Rashbehari Ghose, a Lord Sinha or a Sir Benode Mitter need not import a judge from elsewhere. Forty years ago a Lord Chancellor of England said:—"In respect of integrity, of learning, of knowledge, of the soundness and satisfactory character of the judgments arrived at, the judgments of the native judges were quite as good as those of the English."

If this was true 40 years ago, how much more so must it be now.

Regarding the recruitment of yet another third from the Civil Service, the least that can be said of it is that it is the residue of an obsolete system unthinkable under present conditions. Such recruitment has no parallel anywhere in the world and would not be tolerated for a single day in England. And now comes the new and amazing principle of having a Civilian Chief Justice. Instead of dwelling on these essential principles of judicial administration, the High Court memorandum has mentioned only one solitary point— that the High Court must be a Central subject—and the reasons they have given do not breathe the spirit of judicial aloofness. The Central Legislature would be too busy to bother about a provincial High Court and its workings. What is worse, it descends to make a covert attack on the capacity and integrity of this House which is as undignified as it is undeserved.

Rai SATYENDRA NATH ROY CHAUDHURI Bahadur: Sir, the expenditure under this head amounts to Rs. 86,31,000 a year but the question is whether the people from whose tax the money is paid get an equivalent for the same. They pay for the administration of justice but are they really getting justice? Or simply disposal of their complaints without any regard for its merit or demerit. Do the people pay their taxes for the quality of the work or only for the quantity? It is a well known fact that there has been a great deterioration in the judiciary of Bengal so far as the quality of their works are concerned. Those who have seen the work of the judicial officers 25 or 30 years ago wonder whether the present officers are their real successors—I do not mean each individual case but generally or in the majority of cases. The officers are only actuated by one motive and principle—"disposal"———

The Hon'ble Mr. A. N. MOBERLY: I rise on a point of order. May I enquire on which motion the Rai Bahadur is speaking?

Rai SATYENDRA NATH ROY CHAUDHURI Bahadur: I am speaking of the control of the Government. I am stating that the deterioration is caused by the control of the High Court as well as the Government over the disposal of cases. I will come to my next point. I may state that the degeneration in the quality of judicial work is due to the defective recruitment or the system of recruitment. The essential qualifications to make a good judge are judicial temper, patience, capacity, willingness for hard work and capacity to grasp and analyse facts.

The first two qualifications can be expected from men who had early good breeding and environment. It is an undenying fact that these two factors of a man's early life play a great part in after-life in shaping his judgments and manners; men with early good breeding and environment are expected to be sober and reasonable and pay due regard to the views of others; on the contrary men without good breeding and brought up in an unhealthy atmosphere———

Mr. M. C. GHOSE: I rise on a point of order. I object to the hon'ble member's remarks about the recruitment of judges.

Mr. PRESIDENT: Order, order.

Babu BEJOY KRISHNA BOSE: Sir, in rising to speak on these motions I would like to say one or two words.

Mr. PRESIDENT: Will you please remember and confine yourself to the reasons on which these motions were based by their respective movers?

Babu BEJOY KRISHNA BOSE: Sir, I shall confine myself to the administration of justice in general and while doing so, I shall speak more in sorrow than in anger. The High Court was at one time a great bulwark of our rights and privileges; it was a protection against executive injustice. We find in this country now on one side British imperialism and on the other are arrayed the forces of democracy. We know that democracy is advancing in India———

Mr. PRESIDENT: I do not see how you are in order. The High Court has nothing to do with British imperialism or democracy.

Babu BEJOY KRISHNA BOSE: I was saying that in this country we have imperialism on one side and against it the spirit of

democracy is advancing in India and elsewhere, and if liberty is to be preserved the rule of law ought to prevail above everything. But have we got the rule of law now-a-days? There was a time when the Judges of the High Court refused to have even a cup of tea at Government House. I am reminded of a case, Sir, in which a former Chief Justice of the High Court ordered the closing of all courts subordinate to the High Court *sine die*, because in a certain case a man who was sent to jail was not received in the jail as an order was passed by the executive Government pardoning the offender. That was what the High Court did and the High Court knew how to preserve its dignity. We found that in those days no motive was ever ascribed to the members of the Bar as was done recently by a judge who said that the lawyers had "exploited" a certain case. As a member of the Bar, zealous of its rights and privileges and of its dignity I do protest against the way in which the members of the Bar are treated now-a-days. For example the other day a certain judge said to a lawyer appearing before him: "If I call all the lawyers rogues, will that be libel?"

The Hon'ble Mr. A. N. MOBERLY: I rise on a point of order. Is the member entitled to reflect on the conduct of any judge?

Mr. PRESIDENT: He has not and is not supposed to name any judge.

Babu BEJOY KRISHNA BOSE: I am not naming the judge, Sir, but I was mentioning it by way of illustration. I know there are lawyers who know how to retort and such a lawyer would have retorted properly. We know that in a certain case———

Mr. PRESIDENT: Mr. Bose, I am afraid you are giving more illustrations. I must, therefore, tell you that you should not only not name a judge but should not also make such remarks as are suggestive enough to lead to the identification of a judge you may have in view as the object of your attack.

Babu BEJOY KRISHNA BOSE: I am not going to give further illustrations. One or two are quite good enough for my purpose. With regard to the administration of justice, lawyers with some practice in the mufassal know very well that the way in which justice is administered in the High Court reflects on the whole judiciary in the province. We know very well how justice is administered now-a-days and we know too that tardy justice is better than hasty injustice.

Mr. M. C. GHOSE: I object to the criticisms of the member on courts of justice in this way.

Mr. PRESIDENT: Mr. Ghose, I think you are a bit premature in rising in your place (" Hear, hear "). I hope you will hear him fully. You can rely on me that if I find any of his remarks constitute a reflection on the courts, I am sure to stop him. But he is entitled to criticise the defects of courts generally.

6-15 p.m.

Babu BEJOY KRISHNA BOSE: Sir, I am as jealous as the learned Legal Remembrancer to preserve the judicial independence and integrity of our courts. But, Sir, as you have ruled, I am not going to give more illustrations about the manner in which work is done in the High Court. Sir, we in the mufassal courts come across judges who take their cue from the High Court. I would relate what Mr. Jackson once told us about a particular High Court Judge. There was a certain judge who was very chary in issuing rules, but when a particular Chief Justice came into office, the whole atmosphere of the High Court was changed, and while the judge referred to was always reluctant to give rules, he was disposed to two rules instead of one. Now-a-days the judges in the mufassal are more anxious to despatch business than to do justice.

Mr. D. N. ROY: Shame, shame.

Mr. PRESIDENT: I object to your crying " shame " in that fashion, Mr. Roy.

Mr. P. C. BASU: Sir, in Delhi the crying of " shame " and even thumping is tolerated.

Mr. PRESIDENT: To speak the least of it, I would very much wish that this should not be introduced in this Council.

Babu JITENDRALAL BANNERJEE: Sir, is not crying of " shame " a constitutional way of expressing one's disapprobation?

Mr. PRESIDENT: Following Parliamentary practice I may tell you that the use of the word " shame " is not permissible. It has often been taken exception to by the Speakers in the House of Commons. Crying of " shame " is prohibited there.

(At 6-20 p.m. the Council was adjourned for prayers and it reassembled at 6-35 p.m.)

Babu BEJOY KRISHNA BOSE: Sir, if we were to recount all our experiences about the way justice is administered in this country, it will take days and days. I will take only a minute more. What I was going to say before the adjournment is that the administration of justice in the High Court is reflected in the administration of justice in the mufassal courts, and persons who have experience as to how justice is administered in the mufassal courts know that even some of the judges there take care to see how police receive their judgments. I can give all particulars to Mr. Moberly not in the Council here but elsewhere, but I will relate here what a certain I.C.S. judge said to a certain person. He told a reporter: "What have you reported? It is all wrong. What will Sir Charles Tegart think of it?" Here is a judge administering justice who is afraid of the police. Now, such instances can be multiplied. It is not a sub-deputy magistrate or an honorary magistrate but a full fledged judge who is afraid of the police.

The Hon'ble Mr. A. N. MOBERLY: Sir, the time is short and I propose only to deal with the first item which has been mentioned, viz., the question whether it is desirable that the High Court should be under the Government of Bengal or under the Government of India. I would ask the members who have spoken whether they really desire that the High Court should be under the Government of Bengal as at present constituted. Judging from what they have said I cannot believe that they do so desire. As regards what the Government of Bengal is going to be in future, neither they nor I have the least idea. My own feeling about the High Court is this: that it should be an institution in which everybody should have complete confidence that it will administer justice without fear or favour. I think people would have more confidence in their doing this, if they were not brought into closer relationship with the Government of Bengal. At the same time I admit that the present three-cornered system, under which the High Court is administered by the Government of India and paid for by the Government of Bengal is thoroughly unsatisfactory; it is very difficult to get anything done quickly because the correspondence is a three-cornered correspondence and anything which can be done in direct correspondence with the High Court is a very small portion of the ordinary business. I do not think that the present system of control should continue unless the Government of India undertake to pay the piper. If they are going to continue to control the High Court, I think, they should pay for it.

Mr. PRESIDENT: Order, order, the maximum time limit has been reached.

The motion of Babu Naliniranjan Sarker was then put and a division taken with the following result:—

AYES.

Bagchi, Babu Romes Chandra.
Banerjee, Babu Promotha Nath.
Bannerjee, Babu Jitendralal.
Basu, Mr. P. C.
Bose, Babu Bejoy Krishna.
Bose, Mr. S. C.
Dutt, Babu Saral Kumar.
Ghose, Babu Amarendra Nath.
Gupta, Mr. Jogesh Chandra.
Maiti, Babu Mahendra Nath.
Maitra, Srijut Jogendra Nath.
Nasker, Babu Hem Chandra.
Ray, Dr. Kumud Sankar.
Ray, Srijut Radha Gobinda.
Roy, Babu Manmatha Nath.
Roy, Dr. Bidhan Chandra.
Ray, Mr. D. N.
Ray Chaudhuri, Rai Bahadur Satyendra Nath.
Sarker, Babu Naliniranjan.
Sen, Srijut Nagendra Nath.

NOES.

Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Blair, Mr. J. R.
Casselis, Mr. A.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Clark, Mr. I. A.
Dash, Mr. A. J.
Drummond, Mr. J. G.
Forrester, Mr. J. Campbell.
Fyfe, Mr. J. H.
Ghose, Mr. M. C.
Ghosh Maulik, Mr. Satyendra Chandra.
Ghuznavi, Alhadj Sir Abdelkerim.
Goenka, Rai Bahadur Badridas.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Habibullah, Nawab Khwaja.
Hogg, Mr. G. P.
Hosain, Nawab Musharruf, Khan Bahadur.
Hussain, Maulvi Latafat.
Jenkins, Dr. W. A.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Maguire, Mr. L. T.
Marr, the Hon'ble Mr. A.
Martin, Mr. D. S.
Mitter, the Hon'ble Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. N
Mukerji, Mr. S. C.
Ordish, Mr. J. E.
Ormond, Mr. E. C.
Prentice, Mr. W. D. R.
Ray, Babu Surendra Nath.
Sarker, Rai Sahib Rebati Mohan.
Sattar, Khan Bahadur Abdus.
Tate, Major General Godfrey.
Thomas, Mr. H. W.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Twynam, Mr. H. J.
Wardsworth, Mr. W. C.

The Ayes being 20 and the Noes 41 the motion was lost.

The time-limit under the head "24.—Administration of Justice" having reached the following motions were not put:—

Maulvi SHAMSUR-RAHMAN: "That the demand of Rs. 86,31,000 under the head '24.—Administration of Justice' be reduced by Rs. 1,000 (for not increasing the pay and prospects of the clerks employed in Civil and Criminal Courts)."

Srijut NAGENDRA NATH SEN: "That the demand of Rs. 86,31,000 under the head '24.—Administration of Justice' be reduced by Rs. 100 (on the ground that all District Judges should be Indians)."

Srijut NAGENDRA NATH SEN: "That the demand of Rs. 86,31,000 under the head '24.—Administration of Justice' be reduced by Rs. 100 (on the ground that there should be more recruitments from the Bar and from the Provincial Judicial Service)."

Srijut NAGENDRA NATH SEN: "That the demand of Rs. 86,31,000 under the head '24.—Administration of Justice' be reduced by Rs. 100 (on the ground that the pay of ministerial officers in District Courts should be raised)."

Srijut NAGENDRA NATH SEN: "That the demand of Rs. 86,31,000 under the head '24.—Administration of Justice' be reduced by Rs. 100 (on the ground that the typists and copyists should be incorporated into the salaried grade)."

Babu NALINIRANJAN SARKER: "That the demand of Rs. 86,31,000 under the head '24.—Administration of Justice' be reduced by Rs. 100 (to criticise the Government control and administration in general of the High Court)."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 86,31,000 under the head '24.—Administration of Justice (Reserved)' be reduced by Rs. 2 (to discuss the general policy)."

Mr. KIRAN SANKAR ROY: "That the demand of Rs. 86,31,000 under the head '24A.—Administration of Justice' be reduced by Re. 1 (to criticise the administration of the High Court)."

Babu BEJOY KRISHNA BOSE: "That the demand of Rs. 86,31,000 under the head '24A.—Administration of Justice' be reduced by Re. 1. (Public confidence and administration generally)."

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 86,31,000 under the head '24A.—Administration of Justice' be reduced by Re. 1. (Want of confidence in the present method of administration of justice)."

Mr. P. C. BASU: "That the demand of Rs. 86,31,000 under the head '24.—Administration of Justice' be reduced by Re. 1. (Constitutional question whether High Court should be under the provincial Government)."

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 86,31,000 under the head '24A.—Administration of Justice' be reduced by Re. 1. (Refusal of the demand for separation of executive and judicial functions)."

Mr. P. C. BASU: "That the demand of Rs. 86,31,000 under the head '24.—Administration of Justice' be reduced by Re. 1. (Pay of ministerial officers)."

Mr. P. C. BASU: "That the demand of Rs. 86,31,000 under the head '24.—Administration of Justice' be reduced by Re. 1. (McAlpin Committee's Report)."

Mr. P. C. BASU: "That the demand of Rs. 86,31,000 under the head '24.—Administration of Justice' be reduced by Re. 1. (High Court Retrenchment Committee's Report)."

Mr. P. C. BASU: "That the demand of Rs. 86,31,000 under the head '24.—Administration of Justice' be reduced by Re. 1. (Official Assignee's Establishment and pay or commission)."

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 86,31,000 under the head '24A.—Administration of Justice' be reduced by Re. 1. (Want of confidence in the system of recruitment)."

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 86,31,000 under the head '24A.—Administration of Justice' be reduced by Re. 1. (Loaning of the judges for the executive and police)."

Srijut NAGENDRA NATH SEN: "That the demand of Rs. 86,31,000 under the head '24.—Administration of justice' be reduced by Re. 1 (to draw attention to the fact that the scale of salaries payable to Provincial, Judicial and Executive Service officers should be revised and lowered and the scale of salaries payable to ministerial officers should be raised)."

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 86,31,000 under the head '24.—Administration of justice' be reduced by Re. 1 (to discuss the question of separation of Judicial and Executive functions)."

Mr. A. K. FAZL-UL HUQ: "That the demand of Rs. 86,31,000 under the head '24.—Administration of justice' be reduced by Re. 1 (to express disapproval of the policy of the Government in ignoring the claims of the Moslems to services and employment under the Government)."

The motion that a sum of Rs. 86,31,000 be granted for expenditure under the head "24.—Administration of Justice" was then put and agreed to.

25.—Jails and Convict Settlements.

The Hon'ble Sir PROVASH CHUNDER MITTER: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 33,62,000 be granted for expenditure under the head "25.—Jails and Convict Settlements."

The following motions were called but not moved:—

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 58,000 under the head '25A.—Jails—Superintendence' be reduced by Rs. 100. (Unsatisfactory superintendence)."

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 58,000 under the head '25A.—Jails—Superintendence' be reduced by Re. 1 (to discuss negligence of duty)."

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 1,40,850 under the head '25A.—Jails—Contingencies' be reduced by Re. 1 (to discuss the question of supplying mosquito curtains to prisoners)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 10,01,000 under the head '25A.—Jails—District Jails' be reduced by Rs. 100. (Lack of supervision on the part of superior staff)."

Babu KHAGENDRA NATH CANGULY: "That the demand of Rs. 27,34,000 under the head '25A.—Jails be reduced by Rs. 8,86,000."

Babu SARAL KUMAR DUTT: I beg to move that the demand of Rs. 27,34,000 under the head "25A.—Jail" be reduced by Rs. 100 (in order to raise discussion on the administrative policy of the Government of Bengal).

The object of my motion is to draw the attention of this House as well as of the Government to the immediate need of prison reform. Before I speak on my motion, I should like to assure this House that my experience as a non-official jail visitor of the district jail of Barisal, with a population of nearly 700 convicts tells me that the jail administration of this province is exceedingly punitive and sometime vindictive too. Here is a copy of the rules for the superintendence and management of jails, and if you look at the list of punishments

catalogued here, you will feel far removed from the advancing ideas of the time and even out of touch with the modern civilisation of the 20th century—gunny cloth punishments, handcuffs, fetters, bar-fetters and cross-bar fetters and whippings—these are not the exhaustive list but there are other devices in the unwritten laws of the jail administration. Sir, who does not know the custom in the jails that the lordly superintendent on his triumphal march through the jail wards has to be greeted with salams by every prisoner. But woe be unto the prisoner who has failed through negligence or otherwise to salam his overlord; he is singled out and made to stand and sit and salam at least half an hour without a break until his tired limbs teach him to respect the majesty of unwritten jail law. Such is the lack of human outlook and severity in the treatment of prisoners here. But the present-day tendency all over the world is to make prison life more and more reformative and the supreme end of prison discipline has become the moral reform of the criminal, a process of conversion, and that has been recognised by all the most enlightened penologists of the world. One prison expert, Mr. K. Subramaniam, has stated the modern view-point in his book on prison reform that "the final question that urges for consideration is the problem of utilising the criminal in the interests of social reform. The criminal is like the flotsam and jetsam thrown out by the social machinery in its onward progress. In these days when even the refuse of every material is utilised as a by-product, is it not possible to see how the delinquents refuse or the rag of society can be turned to the best account? In other words we should 'consider the mission of the criminal in this world of God.'" Sir, the agitation for prison reforms dates far back to 1872 and since then the International Prison Congress have been held in different parts of the world. A glance at the resolutions passed and accepted in those Congresses will convince you that a prisoner is looked upon more or less as a pathological case, and prevention of crimes is being sought not by punishing the prisoner but by the elimination of the social causes which create unhealthy environment and by the encouragement of scientific treatment of the feeble in mind and body. This I quote, Sir, from one of the best authorities on the subject, Sir Evelyn Ruggles-Brise, K.C.B. Another authority, Mr. Sydney A. Mosley, ascribes the causes of crime to (1) poverty, bad environment, slums and unemployment, (2) pathological cases and mishandling of first offenders and (3) where crime is treated as a profession, and to this list may I not add illiteracy as well? Connected with this question arises the necessity of educating the prisoners. The convict should be treated and educated in such a way that his self-respect is stimulated and he ought to be given such a training that he may not be required to lead a vagrant life after his release. Other provinces have gone much in advance of us in this line but we are still lagging behind. It is a pleasure to learn

that in the Central Provinces all convicts under 30 years of age now receive at least one hour's grounding in reading and writing and that special classes have been arranged in the Nagpur Jail. Weekly newspapers, printed by the Jail Department are often read aloud to the illiterate prisoners in Madras Jail with very excellent results. Loss of liberty, detention and the stain are sufficient deterrent and the deprivation of family life is an adequate punishment. Treating a prisoner most humanely and even making him comfortable cannot compensate his being shut off from his own world, cannot obliterate the record of his having been in prison. So without paying much attention to the punitive measures, I would request the jail authorities to arrange for compulsory primary education with cinema and magic lantern shows for the moral edification of the convicts. I do not know what an amount of potentiality might be made useful to the credit of the whole nation if so many prisoners were reclaimed through education to their proper manhood.

Secondly, release on license for apprenticeship in any firm or workshop has been accepted by prison experts as one of the boons of prison reform. This system is being tried at Narsingpur Jail, Central Provinces, and may I not request the Hon'ble Member to make the same experiment here in Bengal?

Sir, we have seen many recommendations suggested by the Jail Enquiry Committee. Government have also accepted some and are seriously considering others. But I am not very optimistic if the whole outlook on the treatment of prisoners is not changed. Everything depends upon the ingenuity and personal influence of the jail governor and until he is trained up in the subject of up-to-date scientific prison management, no amount of reforms however introduced will ever serve their purpose.

The following motions were called but not moved:—

Mr. SATYENDRA CHANDRA GHOSH MAULIK: "That the demand of Rs. 27,34,000 under the head '25A.—Jails' be reduced by Rs. 100 (to show disapproval of the dilatory methods of the Government in undertaking Jail reforms)."

Babu MANMATHA NATH ROY: "That the demand of Rs. 27,34,000 under the head '25A.—Jails' be reduced by Rs. 100 (to discuss the condition under which prisoners live in jails)."

Mr. SUBHAS CHANDRA BOSE: "That the demand of Rs. 27,34,000 under the head '25A.—Jails' be reduced by Re. 1 (to criticise the general policy of the administration)."

Kazi EMDADUL HOQUE: "That the demand of Rs. 27,34,000 under the head '25A.—Jails' be reduced by Re. 1. (Non-supply of adequate food, winter clothings, blankets and mosquito curtains to prisoners, inhuman treatment and want of facilities to Moslem prisoners for prayers)."

The Hon'ble Sir PROVASH CHUNDER MITTER: I will begin by saying that with regard to the general observations of Babu Saral Kumar Dutt for more humane treatment of convicts and with regard to his desire to improve the condition of convicts I and the Inspector-General of Prisons entirely agree and sympathise with his object. Those members of this House who had opportunities of coming into contact with the present Inspector-General of Prisons will I trust bear me out when I say that his outlook of prison administration is everything that can be desired. We cannot, however, write on a clean slate. We have started making improvements, and although I freely concede that we have yet to make good many improvements yet I can assure Babu Saral Kumar Dutt and the House that the desire of the Head of the Prison Department (and steadily we are trying to work up to it) is to improve the state of things prevailing in jails. A suitable system of primary education we have already introduced in one of the biggest jails and one of the items about which the Council will have to vote is improvement in primary education in one of the biggest jails.

The question of improvement of prison administration is necessarily connected with the question of increased expenditure. In spite of the financial difficulties of the Government of Bengal, so far as this department is concerned, it has at the instance of the Inspector-General of Prisons been steadily pressing upon the Government to allot money for the improvement of jail administration. It is known to this House that the Pearson Committee made a number of recommendations. Some of these recommendations we have already given effect to; others we have not accepted and I believe about the recommendations that we have accepted, the opinion of the House is favourable.

One important recommendation of the Pearson Committee was that the jail staff should have more time to look after the prisoners and for that reason the committee suggested that clerical functions should be taken away from the members of the jail staff. One of the items upon which the House will have to vote is provision for clerical staff in one of the biggest jails. It is necessary for purposes of improvements to concentrate habituals in central jails; that is not only a question of money; but before the question of voting money comes in, schemes will have to be prepared. We are busy preparing schemes. I may inform the members of the Council that our Government have got the premises of the Army Clothing Depôt which

belonged to the Government of India, and we are preparing a scheme for putting up a jail building on a portion of that property. When that is completed, much of the congestion in our jails will be relieved.

The Lunatic Asylum in Dacca is going to be utilised, after necessary structural alterations, for purposes of expansion of jails. I do not want to go into details at this late hour of the evening; but I can assure Babu Saral Kumar Dutt and the members of this House, that so far as the Jail Department is concerned, we are trying our best to work up to a better state of things and I hope that Babu Saral Kumar Dutt will not press his motion.

The motion of Babu Saral Kumar Dutt was then put and lost.

Adjournment.

The Council was then adjourned till 10-30 a.m., on Saturday, the 23rd March, 1929, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Town Hall, Calcutta, on Saturday, the 23rd March, 1929, at 10-30 a.m.

Present:

The Hon'ble the President (the Hon'ble Raja MANMATHA NATH RAY CHAUDHURI, of Santosh), in the Chair, the four Hon'ble Members of the Executive Council, and 105 nominated and elected members.

Starred questions

(to which oral answers were given).

Accounts of the Appellate Side of the Calcutta High Court.

*94. **Babu NALINIRANJAN SARKER:** (*a*) Will the Hon'ble Member in charge of the Judicial Department be pleased to state whether it is a fact that the internal accounts of the Appellate Side of the Calcutta High Court were audited some time during the last year by auditors deputed by the Accountant-General of Bengal?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state whether it is a fact that the said auditors discovered a loss of Government money on account of the disappearance of a large number of saleable paper-books from the custody of the Court's office?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Member be pleased to state—

(*i*) what is the estimated amount of the loss; and

(*ii*) what steps, if any, the Government have so far taken or propose to take for the recovery of the loss?

(*d*) If the answer to (*b*) is in the affirmative, will the Hon'ble Member be pleased to state whether the said auditors fixed the responsibility on account of the said loss on any individual officer or officers of the Court?

(*e*) If so, what are the names and designations of these officers?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Mr. A. N. Moberly): (*a*) Yes.

(*b*) Yes.

(*c*) (*i*) Rs. 5,806-6-0.

(*ii*) The High Court has been addressed in the matter.

(*d*) and (*e*) The auditor expressed the opinion that the Superintendent of the Bench Section was responsible for the loss of books from his section. His name is Babu Anukul Chandra Bose.

Babu NALINIRANJAN SARKER: Will the Hon'ble Member be pleased to state if Babu Anukul Chandra Bose was solely responsible for the loss?

The Hon'ble Mr. A. N. MOBERLY: I have already said that the auditor expressed a certain opinion. I understand that the High Court have not accepted that opinion and the matter is under correspondence.

Babu NALINIRANJAN SARKER: Is it a fact that Babu Anukul Chandra Bose has since been promoted?

Mr. PRESIDENT: Mr. Sarker, if I remember aright, I disallowed this question. So you cannot put it.

Dredger "Ronaldshay" and dredging works.

***95. Babu NALINIRANJAN SARKER:** (*a*) Will the Hon'ble Member in charge of the Department of Irrigation be pleased to state the decision of the Government in respect of the future disposal or utilisation of each of the dredgers (mentioning them by their names) that were bought in regard to the Grand Trunk Canal Scheme which has since been abandoned?

(*b*) If no such decision has been arrived at, whether there is any possibility of an early decision?

(*c*) If the answer to (*b*) is in the negative, what is the reason for deferring such decision?

(*d*) What are the original budget estimates for dredging works for the years 1925-26, 1926-27 and 1927-28 as also the amounts actually spent and in the cases of excess of expenditure over the budget estimates, how have funds been made available for adjustment of the same?

MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur, of Dhanbari): (*a*) No decision has yet been arrived at in regard to the dredger *Ronaldshay* which was the only dredger bought in connection with the Grand Trunk Canal Scheme. The matter is under the consideration of Government.

(*b*) Yes.

(*c*) Does not arise.

(*d*) A statement is laid on the table.

Statement referred to in the reply to clause (d) of starred question No. 95, showing the original Budget Estimates for and actual expenditure on dredging works for the year 1925-26.

Name of work and head of account.	Original budget estimate.	Actual expenditure.	Excess, if any.	Remarks.
	Rs.	Rs.	Rs.	
15-B.				
(1) Dredging the Hoorhoora and Buxi khals.	3,99,000	3,61,703	..	....
XIII-B.				
(2) Dredging the Bhangore khal ..	89,000	27,013	..	....
(3) Dredging the Doagra channel ..	1,00,000	1,20,725	20,725	The excess was met from the saving in the budget grant for dredging the Bhangore khal.
(4) Dredging river Attarabanka ..	25,000	13,526	..	....
(5) Dredging Lower Kumar river ..	25 000	69,049	44,049	The excess was met from the total grant for Maintenance and Repairs (Madaripore Bhil Route).
16.				
(6) Dredging sidings in Lower Kumar river	40,000	40,908	908	The excess was met from the total grant for locks and sluices, dredging sidings, etc. (Madaripore Bhil Route), under head "16."

Statement showing the original Budget Estimates for and actual expenditure on dredging works for the year 1926-27.

Name of work and head of account.	Original budget estimate.	Actual expenditure.	Excess, if any.	Remarks.
	Rs.	Rs.	Rs.	
15-B.				
(1) Dredging the Buriganga and Sitalakhya rivers.	1,00,000	69,039	..	....
XIII-B.				
(2) Dredging the Bhangore canal ..	1,05,200	1,15,461	10,261	The excess was met from savings in the grant for dredging the Attarabanka.
(3) Dredging the river Attarabanka	20,000	..	..	....
(4) Dredging the Lower Kumar river.	65,000	1,39,290	74,290	The excess was met by reappropriation of savings under XIII-B—"Maintenance and Repairs" Sundarbans Steamer Route and also from the grant for Chitpur and Belliaghatta bridges under XIII-B—Extentions and Improvements, Calcutta and Eastern Canals.

Statement showing the original Budget Estimates for and actual expenditure on dredging works for the year 1927-28.

Name of work and head of account.	Original budget estimate.	Actual expenditure.	Excess, if any.	Remarks.
XIII-B.	Rs.	Rs.	Rs.	
(1) Dredging the Gabkhan Bharani khal.	35,000	48,036	13,036	The excess was met from the savings in the grants for dredging Doagra channel and Attarabanka river.
(2) Dredging the Doagra channel ..	80,000	..	..	....
(3) Dredging the Attarabanka river	15,000	..	..	....
(4) Dredging the Lower Kumar river	20,000	4,29,699	4,09,699	The excess was met by reappropriation as follows :—

	Rs.
(i) From Extensions and Improvements, Calcutta and Eastern Canals (XIII-B) Bridges ..	1,13,838
(ii) Doagra, Attarabanka dredging, etc., XIII-B ..	1,17,669
(iii) Maintenance and Repairs to dredgers "Cowley" and "Burdwan" (XIII-B) ..	55,200
(iv) Locks and sluices, Madaripore Bhil Route. (16 Proper) ..	36,000
(v) Petty savings under various Items under different heads ..	86,992
Total ..	4,09,699

Srijut NAGENDRA NATH SEN: Will the Hon'ble Member be pleased to state the reasons for not dredging the Attarabanka river during the years 1926 to 1928?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: I want fresh notice.

Srijut NAGENDRA NATH SEN: Is the Hon'ble Member aware that owing to the silting up of the river Attarabanka, the Barisal Express and Mail steamers now find it difficult to navigate that channel?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: I have no information.

Babu NALINIRANJAN SARKER: With reference to answer (*a*), will the Hon'ble Member give us an idea of the time by which a decision may be arrived at?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: I cannot say definitely.

Srijut NAGENDRA NATH SEN: Will the Hon'ble Member be pleased to state whether it is the intention of Government to dredge the Attarabanka river this year?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: I must ask for fresh notice.

Rai SATYENDRA NATH ROY CHOUDHURI Bahadur: Is it a fact that the dredging of the Attarabanka river commenced in January last and continued only for several days and was then stopped?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: I should also ask for notice of this question. I cannot answer off-hand.

Srijut NAGENDRA NATH SEN: Will the Hon'ble Member be pleased to state the reasons for not dredging the Attarabanka river although funds were budgeted for this purpose during the last three years?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: I want fresh notice; I cannot answer off-hand.

Unstarred questions

(answers to which were laid on the table).

Representation of staff on the governing body of colleges.

68. Babu SASI SEKHAR BASU: (*a*) Is the Hon'ble Member in charge of the Department of Education aware of the minutes of the Syndicate of the Calcutta University, dated 9th February, 1928, wherein it was stated that "the present practice of electing the minimum of two members of the staff to the governing body of every college should be adhered to?"

(*b*) Is it a fact that in many aided and unaided colleges the practice does not exist?

(*c*) If so, what steps do the Government propose to take in the matter?

(*d*) Are the Government contemplating enforcing the above practice as a condition of grant-in-aid to aided colleges?

MEMBER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. A. Marr): (*a*) Government have no information.

(*b*) Government have no information concerning unaided colleges. In all aided colleges, except the Victoria College, Comilla, there are at least two members of the staff on the governing body.

(*c*) None.

(*d*) Does not arise.

Standards of quality in jute dealings.

69. Babu PRABHU DOYAL HIMATSINGKA: (*a*) Is the Hon'ble Member in charge of the Department of Agriculture and Industries aware that there are no definite standards of quality for dealings in jute?

(*b*) Is it a fact that H. J. Rejections, which means Hobby Jobby Rejections, is the top quality in jute at present owing to appreciation of standards in the middle of the season?

(*c*) If the Hon'ble Member is not aware of the manipulations in the quality of jute, are the Government considering the desirability of instituting an inquiry into the question in the interest of jute cultivators in Bengal?

(*d*) Are the Government considering the desirability of establishing definite standards of quality for all dealings in jute to prevent manipulation and consequent loss to cultivators?

MEMBER in charge of DEPARTMENT of AGRICULTURE and INDUSTRIES (the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur, of Dhanbari): (*a*) No.

(*b*) Government have no information in the matter.

(*c*) No.

(*d*) Government have received a representation on the subject, and have addressed commercial bodies interested in the matter.

Audit fee realised from co-operative societies.

70. Maulvi SHAMSUR-RAHMAN: Will the Hon'ble Member in charge of the Department of Agriculture and Industries be pleased to lay on the table a statement showing, year by year, for the last twelve years—

(*a*) the amount realised as audit fee from the co-operative societies;

(*b*) the amount spent for auditing such societies; and

(*c*) unspent balance of audit fee realised?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: (*a*), (*b*) and (*c*) The audit fees were first introduced in 1917. A statement for 11 years from 1917-18 is placed on the table. Figures for 1928-29 are not yet available.

Statement referred to in reply to unstarred question No. 70.

Year.	Audit fee realised.	Expenditure on auditors.	Unspent balance.
1	2	3	4
	Rs. A. P.	Rs. A. P.	Rs. A. P.
1917-18 ..	4,113 7 9	3,284 0 0	829 7 9
1918-19 ..	36,870 5 3	20,503 0 0	16,367 5 3
1919-20 ..	45,758 6 4	44,380 0 0	1,378 6 4
1920-21 ..	51,571 4 3	56,590 0 0	-5,018 11 9
1921-22 ..	62,783 10 0	57,443 0 0	5,340 10 0
1922-23 ..	39,022 10 6	55,572 10 6	-16,550 0 0
1923-24 ..	1,19,984 0 0	78,994 4 7	40,989 11 5
1924-25 ..	1,24,542 15 3	79,457 2 4	45,085 12 11
1925-26 ..	1,60,682 15 8	87,322 4 11	73,360 10 9
1926-27 ..	1,83,803 5 0	1,08,950 0 9	74,853 4 3
1927-28 ..	2,20,350 8 0	1,08,672 13 3	1,11,677 10 9
Total ..	10,49,483 8 0	7,01,169 4 4	3,48,314 3 8

The amounts shown include only expenditure on the pay and travelling allowances of certain auditors and their peons and the peons' liveries. They do not cover all the expenditure incurred by Government on account of the audit of co-operative societies. The cost of inspectors of co-operative societies and other supervising officers of the Co-operative Department who perform duties in connection with audit is not included nor is the cost of auditing societies less than 18 months old and also anti-malarial societies from which audit fees are not realised. The question of revising the method of maintaining the *pro forma* account, so as to show the real total cost to Government of the audit of co-operative societies, is now under examination.

2. Government have recognised the necessity for more auditors and inspectors. This year funds were provided for 12 additional auditors and four additional inspectors. Administrative approval has been given for 40 more auditors and 8 more inspectors, and provision has been made in the next year's budget for entertaining 14 of these auditors and 2 of these inspectors next year. Administrative approval has also been given for 17 more posts of auditors for societies less than 18 months old and 3 more auditors for co-operative anti-malarial societies.

Maulvi SHAMSUR-RAHMAN: Will the Hon'ble Member be pleased to state whether the figures for the year 1922-23 are correct? (Laughter).

Mr. PRESIDENT: That is no question.

Maulvi SHAMSUR-RAHMAN: Sir, I want to call the attention of the Hon'ble Member to the fact that the figures given are not correct.

Mr. PRESIDENT: You cannot do that.

Maulvi SHAMSUR-RAHMAN: I shall show from the Annual Report———

Mr. PRESIDENT: Please resume your seat.

Maulvi SHAMSUR-RAHMAN: In the figures for the year 1922-23, the amount of Rs. 39,022-10-6 has been shown———

Mr. PRESIDENT: Will you please resume your seat? You are not able to put any question in the proper form.

Income from and interest paid for an irrigation loan.

71. Babu NALINIRANJAN SARKER: Will the Hon'ble Member in charge of the Department of Irrigation be pleased to state—

(*i*) net income derived from the loan of Rs. 1,18,21,132 up to the end of 1927-28, and

(*ii*) the amount of interest charges paid in respect thereof for the said period?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: (*i*) It is not possible to give the net income derived from the loan because the works were financed partially from loan funds and partially from revenue, and no separate accounts have been kept. The total net revenue from the canals was Rs. 20,50,699.

(*ii*) Rs. 29,85,801.

Demands for grants.

25.—Jails and Convict Settlements.

Srijut RADHA GOBINDA RAY: Sir, I beg to move that the demand of Rs. 33,62,000 under the head "25.—Jails and convict settlements (Reserved)" be reduced by Rs. 50,000.

Sir, many suggestions have been made for the improvement of jails on the floor of this Council. Good food, good clothing, good sanitary arrangements, good medical aid, good treatment, are all necessary, and the Government should make provision for them gradually. But, Sir, all these good arrangements will be of no avail if the persons who are entrusted with the charge of jail administration are not good themselves. I use the word "administration" in a very wide sense.

Now, Sir, the outlook of jail administration should be to improve the mentality and moral level of the prisoners. This is a very complex task and cannot be entrusted to a class of people who understand only the value of rod and red eyes. I do not ignore the necessity of repressive control, but in the work of reformation rod and red eyes must be duly supplemented by loving hearts. These things we can very seldom expect from our present-day jailors and warders. I suggest that Government should consider the desirability of selecting men of high education and good moral character and with an idealistic temperament as the heads of jails. I also suggest that a training-school should be established, and that the jailors and warders should undergo a course of training, before they are entrusted with their

actual duties in jails. The jail is a place for psychological study. The art of gradually developing criminals into good citizens can be profitably developed here.

Sir, humanitarian societies should be invited to take up the work of reformation of criminals, and Government should encourage such societies by granting subsidies. I am confident that if Government sincerely expressed their desire to get such help, the philanthropic societies will earnestly take up the holy duty of reforming criminals in jails. Here, also, the intelligent and sympathetic co-operation of the jailor will be an unavoidable necessity.

Lectures, with magic lantern slides, upon various subjects, specially upon the necessity of developing civic sentiments, may conveniently be arranged with private societies. Three lectures or so a week will not cost much. It can be experimented upon, at least in some jails, and the result may be watched.

Arrangements, also, for educative festivals, organised and managed by the prisoners themselves, under the guidance of jailors, may be encouraged at a very moderate cost. It will develop the social and civic instincts of the prisoners.

The suggestions which I have made can be taken up by Government all at once. The utility and educative nature of these suggestions no one can doubt. In making these suggestions, I am actuated by the feeling that hundreds and thousands of our brethren, who are rotting behind prison bars, are after all human beings. Whatever their faults may be, they are not totally beyond all hope of redemption. Even if a certain percentage of them are hardened criminals and beyond all hope of reform, the majority of them are sound at the core and can be developed into fine citizens, useful to the country and society.

I submit, Sir, that the suggestions that I have made are all good and, so, should be worked out without much hesitation and delay. I am afraid that Government will not give effect to any of them. The present Government do not—and will not—allow any private society to take up the work, unless its political creed is to the liking of Government. This difference in political creeds is the real barrier to all progress. There cannot and will not be earnest co-operation between the Government and the people unless and until the ideals and interests of the two are similar and identical. I challenge the Government to disavow this statement of mine. The other day, this House was given a reply by the Hon'ble Sir Provash Chunder Mitter to the effect that Government did not give any encouragement to the recent Calcutta Congress Exhibition, because the political views of the Congress are not to the liking of the Government.

Mr. PRESIDENT: So far as this motion is concerned, we have nothing to do with it, **Mr. Roy.**

Srijut RADHA GOBINDA RAY: I want to say that philanthropic societies will not be allowed to work in jails.

Mr. PRESIDENT: Please do not refer to it any more.

Srijut RADHA GOBINDA RAY: Here lies the root of every trouble, and all questions of reform, improvement and progress will have to be kept in abeyance until this difference is removed, *i.e.*, until the Government become completely national. It is for this reason, Sir, that we the Swarajists have become constitution-breakers instead of constitution-makers. We would have been the sincerest of constitution-makers had co-operation been invited from us in the spirit and terms of equality.

With these words, Sir, I beg to move my motion for the acceptance of the House.

Mr. PRESIDENT: I think we shall save a lot of time if we have one discussion on motions Nos. 442 to 453. Of course, I shall separately put to vote such of them as are quite independent of others.

The following motions were called but not moved:—

Maulvi SHAMSUR-RAHMAN: "That the demand of Rs. 33,62,000 under the head '25.—Jails and convict settlements' be reduced by Rs. 1,000 (for not employing more Mussalmans as jailors)."

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 33,62,000 under the head '25—Jails and convict settlements' be reduced by Rs. 100 (to discuss the question of jail administration generally)."

Srijut NAGENDRA NATH SEN: Sir, I beg to move that the demand of Rs. 33,62,000 under the head "25—Jails and convict settlements" be reduced by Rs. 100 (on the ground that religious scruples of prisoners as to dining are not respected in the jails, and that facilities for performing rites are not allowed).

The object of my motion is to draw the attention of this House to the fact that the religious scruples of prisoners as regards dining are not respected, and that no facilities are granted to them for performing their religious rites.

Sir, I am a non-official visitor of the Khulna District Jail. And from my experience of that jail, as well as of other jails in the province, I can say that both the Hindus and the Muhammadans—in fact, prisoners of all faiths—have to take their meals under one and the same roof. They are also asked to sit in the open air—under the

canopy of the sky—in all seasons of the year—during the scorching days of April and May, and the severely cold winter days as well—for their meals. Further, a stereotyped kind of meal is supplied to them right through the year. With reference to the latter point, I have another motion, viz., motion No. 448, which I can conveniently discuss now———

Mr. PRESIDENT: What are you doing, Mr. Sen?

Srijut NAGENDRA NATH SEN: I am referring to my motion No. 448———

Mr. PRESIDENT: You did the same sort of thing yesterday. You should confine your remarks only to the motion now before the House.

Srijut NAGENDRA NATH SEN: My first suggestion to Government is that instead of feeding all the prisoners in one lot, they should be formed into different religious groups, the members of each group being given facilities for messing together.

My second suggestion to Government is that the prisoners should be given facilities for performing religious rites according to their faiths. The Hindu should be given facilities to perform his own religious rites; the Muhammadan should be given similar facilities; the Jain—in fact, prisoners of every faith—should have full facilities for performing religious rites. It is stated by Government that religious preachers of every faith come to the jails periodically to deliver sermons and to impart religious teaching to the prisoners. This reminds me of a description given in one of Victor Hugo's books, in which the convict describes his experience of religious teaching in the penal settlement, which is that a reverend gentleman comes and says his prayers before the prisoners who are congregated in the presence of armed guards with lighted torches in their hands and ready to fire guns. My point is that all facilities should be granted to the prisoners for performing their religious rites. The Hindus should have facilities for performing their puja, etc., three times a day; the Muhammadans should be allowed to say their prayers five times a day, and so on.

I have already told the House that the meals served are stereotyped in character. Anyone who has any experience of district jails knows very well that some vegetables, viz., brinjals, cauliflowers, etc., are dried and stored up during the winter months, for use in curries during the other months of the year, especially during the rains. The quality of the foodstuffs is very poor, and most of the articles of diet

are not edible. I would also draw the attention of the Hon'ble Member in charge of the Jail Department to what has been said by my friend Srijut Radha Gobinda Ray.

With these words, Sir, I move my motion for the acceptance of the House.

The following motion was called but not moved:—

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 33,62,000 under the head '25.—Jails and convict settlements (Reserved)' be reduced by Rs. 5. (Sufferings of prisoners)."

Srijut NAGENDRA NATH SEN: Sir, I beg to move that the demand of Rs. 33,62,000 under the head "25.—Jails and convict settlements" be reduced by Re. 1 (to draw attention to the fact that a messing system should be introduced in the jails whereby prisoners may turn themselves into groups and manage their own food).

Sir, my intention is stated fully in the motion. I want to give Swaraj to the prisoners, who should not degenerate into mere automatons and machines. The food given to them is always of the same stereotyped kind. In the jails the prisoners belong to various classes and communities. There are Bengalis, up-country men, Uriyas, Hindus, Muhammadans, East-Bengal men, West-Bengal men, and so on. The food which is served to them cannot—and do not—suit all these different classes of men. They have their likes and dislikes, and different ideas of food. If the authorities would allow prisoners of one class or community or province to form a group of their own and prepare their own food out of the rations fixed for them, then all would be well. Of course, the prisoners must not be allowed to infringe the Jail Code.

With these few words, Sir, I beg to move my motion.

Babu PROMOTHA NATH BANERJEE: Sir, I beg to move that the demand of Rs. 33,62,000 under the head "25—Jails and convict settlements" be reduced by Re. 1 (to discuss about supplying mosquito curtains to prisoners).

Sir, my object in bringing forward this motion is to discuss the question of supplying mosquito curtains. I am a non-official visitor of jails in Bengal, and whenever I have questioned prisoners about their conditions of life and what improvement they wanted in them, they have always said that they felt the necessity of mosquito curtains very keenly. Sir, Bengal is a place where people suffer much from mosquito bites, which are the cause of a lot of malaria in the province. The medical authorities are of opinion that in order to prevent malaria,

one must use mosquito curtains, among other precautions. I therefore submit that it is absolutely essential that mosquito curtains should be supplied to prisoners. I hope, Sir, that all members present here will support this motion of mine.

The following motion was called but not moved:—

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 33,62,000 under the head '25.—Jails and convict settlements' be reduced by Re. 1 (on the ground of necessity for better jail administration)."

Rai SATYENDRA NATH ROY CHOUDHURI Bahadur: I beg to move that the demand of Rs. 33,62,000 under the head "25.—Jails and convict settlements" be reduced by Re. 1 (to discuss co-ordination of Jail Department with other allied branches, defect in supervision, and construction, arrangement, etc., its re-organisation, segregation and classification of criminals).

Sir, the Jail Department should not be considered as standing alone. It can only be effective if it is one part of a co-ordinated system of which the different parts are as follows:—

The police, whose duty it is to detect the real offender and place him before a Magistrate.

The Magistrates and all judicial officers, whose duty it is to decide whether the person placed before them is the real offender, are to apply the existing law to each individual case in such a manner as best to protect the community in general, and reform the offender in particular.

The Jail Department, which, being not concerned with whether the individual was rightly convicted or not, is charged solely with the duty of carrying out the sentence of the law, but also in such a manner as to protect the community and reform the individual.

The "after-care" department, or in reality the general public, whose duty it is, and should be, to restore the released criminal to a suitable place in society, protect him against black-mail and unemployment, and help him tiding over the difficult period after release so that he may become a law-abiding, productive and valuable citizen.

These four parts form the essential basis of an effective penal system. By an effective penal system is meant a system which does effectually protect the community and which does reduce crime. To be effective it is not only necessary that each part would be in active and healthy existence, but also that each part should know and appreciate the difficulties and methods of the other, and what each sets out to accomplish, and can in actual practice perform. The first three parts are in existence in Bengal though not so closely in touch as they must

become to be really effective. The fourth, "after care," cannot be done by officials because the convicts will naturally try to avoid coming into contact with officials connected with the police, courts, and jails. However the chief requisites in the work are of such a personal nature that "officialdom" handicaps it at the start. In all progressive countries the importance of this work is being recognised and it is being carried out by voluntary and non-official organisations. It is a prime necessity in Bengal that the efforts of the Inspector-General of Prisons to get such a non-official organisation working, as has been done in Madras, should receive wholehearted public support and public service.

In considering the co-ordination of the different parts of the penal system it will not be out of place to emphasise the necessity for the instruction of the public. Surely our attitude towards prisons should be much the same as our attitude to hospitals. They are institutions to protect society against epidemics, against disease, against the results of vice and folly and wickedness in just the same relation to the mind as the hospital is to the body. Just as our aim should be to abolish disease and render hospitals unnecessary so should our ideal be to banish crime and do away with the necessity for prisons. But we know that we have not yet reached that stage nor can we conceive a condition of society wherein that ideal has been completely accomplished, and so as we expect long and rigorous training in a doctor, and give unquestioning obedience to his prescriptions as being those of an expert we ought to train and treat our doctors of penology in a like manner. As we expect public support based on public instruction in matters of hygiene of the body so we are entitled to build on the same foundations in our war against crime. We should not only see that all prisoners should be well housed, well clothed, well fed, and well treated. We must do something more. Just as we assent to and assist in the detection and segregation of infectious diseases so must we be favourably active in the detection and segregation of the criminal. Just as we assent on the doctor's advice to the most drastic operations for saving the body, so should we assent to equally drastic operations to have the soul, and finally just as we should lavish care and protection on the convalescent invalid so we must be prepared to give our personal care and assistance to the convalescent criminal. What we are to use our jails for seems a question simple to answer; to prevent and reduce crime by the detection and reformative treatment of the criminal. But in reality it suggests another question: What are we using our criminal courts for? Is it not that by unnecessary use and misuse of the criminal courts and the criminal law we are steadily and surely rendering those courts and through them these jails less effective in prevention and care of real crime? I think that warning is necessary in Bengal.

Then what are we to expect of our jails? We must expect them to be so ordered as to achieve two things: They must deter the potential criminal from committing crime and they must prevent the convicted criminal from returning to a life of crime. Unless they are moderately successful in achieving these two objects they are failing in the purpose for which they were established.

The Legislature has also an important part to play in ensuring that the courts have a suitable variety of means at their disposal for dealing suitably with the different classes and categories of offenders which come before them. Particularly this is necessary for preventing the consignment to prisons of children, juveniles, adolescents and young offenders, and first offenders who might, if there were suitable means at the disposal of the court, be more successfully dealt with otherwise than by imprisonment in the ordinary jail. One ventures to suggest that there is a certain lack of elasticity in the existing codes from this point of view. This point is a very relevant one from the point of view of the administration and policy of the jail department because if the courts have the proper powers and the knowledge of them requisite for their intelligent application the jail authorities will find themselves very largely relieved of the problem of dealing suitably with large number of prisoners to whom the ordinary routine of the ordinary criminal jail cannot be applied with really satisfactory results.

This leads me to what I believe to be the main defects in our existing system and the lines on which improvement is to be sought. We are however anxious to see our jails freed from any possibility of contamination of the less criminal by the more criminal and to play a more successful part in the preparation of the criminal for a return to normal and useful service to the community.

The first and foremost consideration is the improvement of supervision. The higher officers of the jails ought to be given more frequent and better facilities for studying the modern application of the science of penology in Indian conditions. Not only so, but the duties of the establishment should be so arranged as to give the superintendents more time and more adequate assistance from educated and trained officers in watching and supervising persons, both individually and collectively, in every phase of their daily routine. The real control of the prisoner rests with the warders, and as they are neither trained nor equipped except for the most elementary duties the convict officer is left far too full a hand.

The whole staff of the jails needs reorganising and expanding with a view to bringing the prisoners under more constant and adequate supervision by educated officers who have been thoroughly trained for the work and understand the application of the prison routine to the class of prisoner with whom they have to deal.

Secondly, the jails themselves ought to be reorganised and remodelled with two main ends in view, *viz.*, (1) the more intelligent classification and segregation of prisoners of different types; and (2) a better scheme for the transfer of prisoners with a view to collecting in different jails the classes of prisoners to whom the particular routine labour and educational facilities of each individual jail can with the most beneficial result be applied.

11 a.m.

Under the existing Jail Code there are very extensive directions for the classification of different types of prisoners, but the existing jails are mostly of such a pattern and there are so many different classes of convicts within jail, that it is impossible to make this segregation really effective, while little or no difference can be made in applying the routine, labour and general conditions of work and living of the jail to the different classes. The routine of the jail for the young first offender is exactly the same as that for the hardened criminal with 10 rigorous imprisonments. True the one is classified A and the other B, but there the difference in treatment ends. It is difficult to believe that the same treatment will be equally successful in both cases. At present our classification is intended only to ensure the separation of one class from another and no attempt at discriminatory treatment made when so separated. As a matter of fact, owing to the construction of the jails, failure of adequate supervision and collection of so many types of prisoners within a single jail the separation is not always effective. Special treatment and different types of labour for every different type of prisoner in each jail is of course a practical impossibility. The solution seems to lie in the collection of different broad types of prisoners in separate jails and the provision of routines suitable for those types in the jails to which they are allotted. Again in the jails themselves better facilities for segregation should be provided by means of smaller sleeping wards accommodation and better designed work places. Such a system could not of course be worked unless the superintendents have better assistance in studying individual cases with a view to placing the prisoner in the correct criminal classification.

While speaking of the segregation and classification of prisoners it is curious to note how few people have commented on the fact that while awaiting trial, hardened criminals, first offenders, old men and young boys are to be found in the same under-trial ward, in which there are generally no facilities for segregation whatsoever. They are given no employment and have nothing to do but sit and eat and talk day after day and are very often in association with convicted prisoners doing menial duties of convict officers. It would seem that arrangements are very desirable for ensuring that contamination of the innocent does not take place among prisoners awaiting trial.

Once we have got our prisoners properly classified on grounds based on the degrees and kind of criminality and allotted to the jails most suitable to treat them, and once we have got in those jails an adequate, trained and educated staff it is possible to introduce the successful introduction of moral instruction, education, the teaching of suitable crafts and trades, the building up of physique and character and the real reformative treatment of the criminal.

The following motions were called but not moved:—

Mr. SUBHAS CHANDRA BOSE: "That the demand of Rs. 33,62,000 under the head '25.—Jails and convict settlements' be reduced by Re. 1 (to criticise the general policy of the administration)."

Babu AKHIL CHANDRA DATTA: "That the demand of Rs. 33,62,000 under the head '25.—Jails and convict settlements (Reserved)' be reduced by Re. 1 (to criticise the general policy of administration)."

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, I shall begin with motion No. 442, the motion which stands in the name of Srijut Radha Gobinda Ray. From the remarks made by the mover, I would have expected that it would be moved under a token cut, but his cut was one for Rs. 50,000. He made various suggestions, some of them helpful others not so for improving the jail administration. But how is it possible to improve the jail administration with Rs. 50,000 cut down? I do not object to the discussion because there are other motions on token cuts intended to raise a general discussion. There is one very important point made by Srijut Radha Gobinda Ray, as also by other speakers, namely, that unless persons who are entrusted with jail administration are good, it is impossible to improve the administration of the Jail Department. I thoroughly agree with that general observation, and with that end in view we have already begun with the warders and improved their salary. But it must be admitted that we are not starting on a clean slate. We cannot summarily dismiss the existing warders and it is a question of time to get improved warders. But far more important than the warders of the Jails Department is the case of the supervising authority, who are the brains behind the administration. There also we have got our existing jailors who are recruited from deputy jailors, and I can assure the House that the Inspector-General of Prisons will take every precaution to get the best possible material for deputy jailors. It will no doubt be necessary to remember that the improvement in the jail administration must take time, but a beginning has been made.

It was suggested by one of the speakers that training schools should be established. That is also one of the suggestions of the Pearson Committee. We are investigating that question, but I must frankly admit that as a result of preliminary investigation we have found that the cost would be large, because it is not merely the creation of a training school but it is a question of adding a large number to the existing staff. A portion of the staff will have to be taken away for training and they must be replaced by others. We are not blind to the necessity of training schools although financial difficulties may stand in our way.

A number of suggestions have been made about after-care associations. I would remind the House of the fact, of which I believe the House is aware, that the administration of the after-care associations has been transferred, and in my opinion rightly transferred, to the Education Department. The criticism of some members that the jail authorities are not trusted by prisoners may be very natural, and from that point of view it is better that after-care associations and the administration of the reformatory schools and certain aspects of the Bengal Children Act should be in another department. From the 1st April, 1928, we have given effect to the suggestion about transfer from the Jail Department, and the after-care associations are now under the Education Department, and, therefore, there is no provision for them in my budget. Beyond saying that every co-operation is given by the Jail Department to the Education Department, I need not go further into the matter.

I will next take up one special point made by Babu Nagendra Nath Sen in his motion No. 445. It is suggested that religious scruples of prisoners as to dining are not respected in the jails and that facilities for the observance of religious rites are not allowed. I would remind the mover that the Jail Code provide for the separation of the higher and lower castes where caste prejudices are strong, and in point of fact in many cases that is done. In practice in most jails separate cooking sheds for Hindus and Muhammadans exist and the lower castes also often placed in separate groups. The cooks are selected from Brahmans and other higher castes and in some jails there are separate dining places. But I admit that there are a number of jails where for want of money we have not been able to provide for satisfactory dining sheds, but this year we have been able to get a larger sum of money for our minor grants and I hope it will be possible to do something in this respect in some of the jails.

It has also been suggested that facilities are not given for religious rites. I am not aware whether in a particular case a prisoner was refused to practise *bona fide* religious observances, but if such cases exist they may be brought to the notice of the Inspector-General of Prisons. I am told by many responsible members of this House,

some of them who take their seat on the Swarajist benches, that in some of the jails every attention is paid to allow prisoners to observe *bona fide* religious rites. But it is quite possible that in an administration containing about 13,000 prisoners there may be exceptions.

Then it is suggested by Babu Nagendra Nath Sen that a messing system may be introduced. It does not require much consideration to arrive at the conclusion that if one seriously attempts to introduce a messing system, the result will be the opposite of what Babu Nagendra Nath Sen desires. Take the case of short-term prisoners who are in the jails for a very short period and of the hardened criminals under the suggested messing system. The position of the short-term prisoners will be very much worse under the theoretical suggestion which Mr. Sen has put forward. Babu Nagendra Nath Sen says why should not there be separate groups among the Bengalees, Oriya, Sikhs and others. The jail population is a fluctuating population and the cook sheds are limited. If we have to introduce a number of cook sheds not only for the prisoners belonging to the different provinces but for prisoners belonging to different status in society and to different castes, the position will be anything but satisfactory, it will perhaps lead to chaos.

11-15 a.m.

But, Sir, although the messing system is not practical politics, yet with the help of effective supervising staff and with the help of visiting committees improvements have been made, and I am assured by prominent non-officials that so far as the two jails in Calcutta are concerned, the improvement has been very satisfactory. About some of the mufassal jails I have heard reports of improvement; about others I have heard criticisms, but it will be helpful if in a particular jail there are matters which can be legitimately criticised, such criticisms are brought to the notice of the Inspector-General of Prisons. And I take this opportunity of saying that, as the present Inspector-General of Prisons is going away for good, a more humane administrator of jails, who is guided by the most modern methods of jail administration, it may be difficult to find. That is not only my opinion, formed in the few months of my connection with the department, but that is the oipnion of many prominent non-officials, some of whom have inside knowledge of jails.

Babu Promotha Nath Banerjee has spoken about the extension of the system of providing mosquito curtains to the prisoners. We have provided mosquito curtains to prisoners in, I believe, one jail, and we are considering their introduction to some of the other jails. In the mean time we have referred the question to Dr. Bentley, the Director of Public Health, because it is a question as to what maximum benefit you can get for the health of the prisoners if you spend a certain sum of money. Mosquito curtains will no doubt lessen attacks of

malaria, but mosquito curtains for 13,000 prisoners will be an expensive business, not only with regard to capital expenditure, but also with regard to recurring expenditure, and we have to find out, given a certain amount of money, what is the best way of getting the most effective results. This question is under the consideration of the Public Health Department, but apart from that we have mosquito curtains in one jail and we are considering the extension of the system, although certain real difficulties have been pointed out by the jail authorities. Those difficulties we have to consider.

With regard to the criticisms of Rai Satyendra Nath Roy Choudhuri Bahadur mostly relate to certain matters which are no longer the immediate concern of this department. The Juvenile Jail is under the Education Department. A Borstal School, however, has recently been established in Bankura and I think that is a move in the right direction. As regards Reformatory schools, these are also under the Education Department. Therefore, I submit, Sir, a large number of points raised by Rai Satyendra Nath Roy Choudhuri Bahadur do not really arise under this demand, although I assure the Rai Bahadur that so far as this department is concerned, we are quite willing to act in harmony with the Education Department and outsiders who take interest in after-care associations. These, Sir, are all the motions. I may conclude by saying that in spite of financial difficulties we are trying to do our best, and although we are not able to do all that we would like to do, it is not only because of financial difficulties, but also for other practical difficulties. Some of the suggestions put forward will require larger jails. That is a question which will take time even if we had the money. Lands will have to be acquired, suitable sites will have to be selected, and until the jails are actually built we cannot put the prisoners there. These are points which will have to be looked into, and I suggest that as the object of these cuts is to draw the attention of Government, and as that object has been attained, the hon'ble movers will withdraw their motions.

The motion of Srijut Radha Gobinda Ray was then put and a division taken with the following result:—

AYES.

Banerjea, Dr. Pramathanath.
Banerjee, Babu Promotha Nath.
Bose, Babu Bejoy Krishna.
Chakravarti, Babu Jogindra Chandra.
Chatterjee, Srijut Bijay Kumar.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dutt, Babu Saral Kumar.
Ghose, Babu Amarendra Nath.
Gupta, Mr. Jogesh Chandra.
Hoque, Kazi Emdadul.
Lala, Babu Sarada Kripa.
Maiti, Babu Mahendra Nath.
Moitra, Srijut Jogendra Nath.
Pal Choudhuri, Mr. Ranjit.
Rahman, Maulvi Shamsur-
Ray, Dr. Kumud Sankar.
Ray, Srijut Radha Gobinda.
Roy, Dr. Bidhan Chandra.
Ray, Mr. D. N.
Roy, Mr. Kiran Sankar.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarker, Babu Naliniranjan.
Sen, Srijut Nagendra Nath.

NOES.

Acharjya Chaudhuri, Maharaja Shashi Kanta.
Afzal, Maulvi Syed Muhammad.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Blair, Mr. J. R.
Chaudhuri, Khan Bahadur Maulvi Hafizar Rahman.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Clark, Mr. I. A.
Cohen, Mr. D. J.
Dash, Mr. A. J.
Drummond, Mr. J. G.
Forrester, Mr. J. Campbell.
Fyfe, Mr. J. H.
Ghose, Mr. M. C.
Ghosh Maulik, Mr. Satyendra Chandra.
Ghuznavi, Alhadj Sir Abdelkerim.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Habibullah, Nawab Khwaja.
Hogg, Mr. G. P.
Hosain, Nawab Musharruf, Khan Bahadur.
Huq, Khan Bahadur Maulvi Ekramul.
Husain, Khan Bahadur Maulvi Syed Maqbul.
Hussain, Maulvi Latafat.
Jenkins, Dr. W. A.
Karim, Maulvi Abdul.
Kasem, Maulvi Abul.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Lamb, Mr. T.
Maguire, Mr. L. T.
Marr, the Hon'ble Mr. A.
Martin, Mr. D. S.
Mitter, the Hon'ble Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. N.
Mukerji, Mr. S. C.
Ordish, Mr. J. E.
Prentice, Mr. W. D. R.
Rahman, Mr. A. F.
Rahman, Mr. A. F. M. Abdur.
Ray, Babu Nagendra Narayan.
Rose, Mr. G. F.
Roy, Mr. Bijoy Prasad Singh.
Sarker, Rai Sahib Rebati Mohan.
Stapleton, Mr. H. E.
Tate, Major General Godfrey.
Thomas, Mr. H. W.
Travers, Mr. W. L.
Wordsworth, Mr. W. C.

The Ayes being 24 and the Noes 49 the following motion was lost:—

"That the demand of Rs. 33,62,000 under the head '25—Jails and convict settlements (Reserved)' be reduced by Rs. 50,000."

Mr. PRESIDENT: Four other motions were moved under this head. The movers gave different reasons and I would put them separately and read out the reasons given in each case.

The following motions of Srijut Nagendra Nath Sen were then put and lost:—

"That the demand of Rs. 33,62,000 under the head '25.—Jails and convict settlements' be reduced by Rs. 100 (on the ground that religious scruples of prisoners as to dining are not respected in the jails, and that facilities for performing rites are not allowed)."

"That the demand of Rs. 33,62,000 under the head '25.—Jails and convict settlements' be reduced by Re. 1 (to draw attention to the fact that messing system should be introduced in the jails whereby prisoners may turn themselves into groups and manage their own food)."

The motion of Babu Promotha Nath Banerjee was then put and a division taken with the following result:—

AYES.

Afzal, Maulvi Syed Muhammad.
Ahamad, Maulvi Asimuddin.
Ahamad, Maulvi Kasiruddin.
Bagchi, Babu Romes Chandra.
Banerjee, Dr. Pramathanath.
Banerjee, Babu Promotha Nath.
Bose, Babu Bejoy Krishna.
Chakravarti, Babu Jogindra Chandra.
Chatterjee, Srijut Bijay Kumar.
Chaudhuri, Khan Bahadur Maulvi Hafizar Rahman.
Choudhury, Maulvi Khorshed Alam.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dutt, Babu Saral Kumar.
Ghose, Babu Amarendra Nath.
Gupta, Mr. Jogesh Chandra.
Hoque, Kazi Emdadul.
Husain, Khan Bahadur Maulvi Syed Maqbul.
Karim, Maulvi Abdul.
Kasem, Maulvi Abul.
Khan, Maulvi Tamizuddin.
Lala, Babu Saroda Kripa.
Maiti, Babu Mahendra Nath.
Maitra, Srijut Jogendra Nath.
Pal Choudhuri, Mr. Ranjit.
Rauf, Maulvi Syed Abdur.
Ray, Dr. Kumud Sankar.
Ray, Srijut Radha Gobinda.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Roy Choudhuri, Rai Bahadur Satyendra Nath.
Sarker, Babu Naliniranjan.
Sen, Srijut Nagendra Nath.

NOES.

Acharjya Chaudhuri, Maharaja Shashi Kanta.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Blair, Mr. J. R.
Casselis, Mr. A.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Clark, Mr. I. A.
Cohen, Mr. D. J.
Dash, Mr. A. J.
Drummond, Mr. J. G.
Forrester, Mr. J. Campbell.
Fyfe, Mr. J. N.
Ghose, Mr. M. C.
Ghosh Maulik, Mr. Satyendra Chandra.
Ghuznavi, Alhadj Sir Abdelkerim.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Habibullah, Nawab Khwaja.
Hegg, Mr. G. P.
Hesain, Nawab Musharruf, Khan Bahadur.
Huq, Khan Bahadur Maulvi Ekramul.
Hussain, Maulvi Latafat.
Jenkins, Dr. W. A.
Khan, Khan Sahib Maulvi Muazzam Ali.
Lamb, Mr. T.
Maguire, Mr. L. T.
Marr, the Hon'ble Mr. A.
Martin, Mr. G. S.
Mitter, the Hon'ble Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. N.
Mukerji, Mr. S. C.
Ordish, Mr. J. E.
Prentice, Mr. W. D. R.
Rahman, Mr. A. F.
Ray, Babu Surendra Nath.
Rose, Mr. G. F.
Roy, Mr. Bijay Prasad Singh.
Sarker, Rai Sahib Robati Mohan.
Tate, Major General Godfrey.
Thomas, Mr. H. W.
Travers, Mr. W. L.
Twynam, Mr. H. J.
Wordsworth, Mr. W. C.

The Ayes being 34 and the Noes 42 the following motion was lost:—

"That the demand of Rs. 33,62,000 under the head '25.—Jails and convict settlements' be reduced by Re. 1 (to discuss about supplying mosquito curtains to prisoners)."

11-30 a.m.

The following motion of Rai Satyendra Nath Roy Choudhuri Bahadur was then put and lost:—

"That the demand of Rs. 33,62,000 under the head '25.—Jails and convict settlements' be reduced by Re. 1 (to discuss co-ordination

of Jail Department with other allied branches, defect in supervision, and construction, arrangement, etc., its reorganisation, segregation and classification of criminals)."

Mr. PRESIDENT: The maximum time limit, so far as this particular demand for grant is concerned, is not yet reached, and I might remind the House that the main demand is still open to discussion.

Babu BEJOY KRISHNA BOSE: I will only say a few words with regard to this particular demand. I would not have taken up the time of this Council at this stage but I am emboldened to say a few words in view of the remarks made by the Hon'ble Sir Provash Chunder Mitter, that he would be only too glad to have criticisms on the jail administration and such criticisms might be communicated to him as well as to the Inspector-General of Prisons. But before I say anything on a special subject under this head I join with my friend the Hon'ble Sir Provash Chunder Mitter in saying a few words of praise of the Inspector-General of Prisons, Lieut.-Colonel Hamilton. In the course of my close acquaintance with him I have found that like all medical men he is very humane and kind to prisoners and he has all the instincts of a gentleman of the medical profession. He is not a mere jailor. This is the last occasion when we are discussing the budget in which he is the Inspector-General. I join with Sir Provash in saying a few words of praise for what he has done especially in regard to Borstal institutions, with which I am closely connected.

One subject to which I had drawn the attention of the proper authorities in this House and to which I would like to draw the attention of the Hon'ble Member now is with regard to the special class prisoners. Now-a-days individual cases receive the attention of the authorities when they are brought to the notice of the Hon'ble Member or the Inspector-General of Prisons, whereas in the matter of Europeans, as I said on a former occasion, they are always treated as special class prisoners. Any one visiting any of the big jails has seen how, for the accommodation of one or two European prisoners, a big slice of the jail compound is set apart and nice gardens are provided. In the Presidency Jail at present I believe there are one or two Europeans; for them an establishment is kept; a place is set apart and a nice beautiful house is provided for their accommodation. As a matter of fact the inmates of these houses seldom live in such beautiful houses outside. So also is the case with the central jails. Why should not rules made for special class prisoners be extended to Indians belonging to the respectable classes? The policy of Government now-a-days is a repressive one and if it is a repressive one, and the rumour is that Government are going to adopt a repressive policy,

and gentlemen of very good social position and standing in life and education may be thrown into the prison; in no case are they in any respect inferior to the European inmates of these jails.

With regard to the people belonging to the *bhadralok* class—of education and good social status—they are not treated as special class prisoners unless the Member-in-charge is good enough to order it. I urge upon the Hon'ble Member to frame rules, during the time the Jail Department is under his charge, by which *ipso facto*, people of the *bhadralok* class and political prisoners who may be dragged into prison may be treated as special class prisoners in the matter of diet and accommodation and so forth. I specially invite the attention of the Hon'ble Member to this point and hope that before the next budget is discussed here some such rules will be framed.

The Hon'ble Sir PROVASH CHUNDER MITTER: I have tried to give adequate answers to all the points that have been actually raised in the various token cuts because I had the time and opportunity to consider the questions. But the last point raised by Mr. B. K. Bose was one about which I had no notice. I am afraid therefore it will not be right for me to give any answer one way or the other beyond saying that what has fallen from him will be duly considered.

The maximum time-limit having been reached, the motion that a sum of Rs. 32,62,000 be granted for expenditure under the head "25.—Jails and convict settlements" was put and a division taken with the following result:—

AYES.

Acharjya Chaudhuri, Maharaja Shashi Kanta.
Afzal, Maulvi Syed Muhammad.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Blair, Mr. J. R.
Casselis, Mr. A.
Chaudhuri, Khan Bahadur Maulvi Hafizar Rahman.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Clark, Mr. I. A.
Cohen, Mr. D. J.
Dash, Mr. A. J.
Drummond, Mr. J. D.
Farequi, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Fyfe, Mr. J. H.
Ghose, Mr. M. C.
Ghosh Maulik, Mr. Satyendra Chandra.
Ghuznavi, Alhadj Sir Abdelkerim.
Guha, Mr. P. M.
Garner, Mr. C. W.
Habibullah, Nawab Khwaja.
Hogg, Mr. G. P.
Hug, Khan Bahadur Maulvi Ekramul.
Hussain, Khan Bahadur Maulvi Syed Maqbul.
Hussain, Maulvi Latafat.
Jenkins, Dr. W. A.
Karim, Maulvi Abdul.
Kasem, Maulvi Abul.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Lamb, Mr. T.
Maguire, Mr. L. T.
Marr, the Hon'ble Mr. A.
Martin, Mr. C. S.
Mitter, the Hon'ble Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. H.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Ordish, Mr. J. E.
Ormond, Mr. E. C.
Prentice, Mr. W. D. R.
Rahman, Mr. A. F.
Ray, Babu Surendra Nath.
Rose, Mr. G. P.
Roy, Mr. Bijay Prasad Singh.
Sarker, Rai Sahib Rebati Mohan.
Sattar, Khan Bahadur Abdus.
Stapleton, Mr. H. E.
Tate, Major General Godfrey.
Thomas, Mr. H. W.
Travers, Mr. W. L.
Twynam, Mr. H. J.
Wordsworth, Mr. W. C.

NOES.

Bagchi, Babu Romes Chandra.	Gupta, Mr. Jogesh Chandra.
Banerjea, Dr. Pramathanath.	Hoque, Kazi Emdadul.
Banerjee, Babu Promotha Nath.	Maiti, Babu Mahendra Nath.
Basu, Babu Sasi Sekhar.	Moitra, Srijut Jogendra Nath.
Bose, Babu Bejoy Krishna.	Pal Choudhuri, Mr. Ranjit.
Chakravarti, Babu Jogindra Chandra.	Ray, Dr. Kumud Sankar.
Chatterjee, Srijut Bijay Kumar.	Ray, Srijut Radha Gobinda.
Das Gupta, Dr. J. M.	Roy, Dr. Sidhan Chandra.
Datta, Babu Akhil Chandra.	Roy, Mr. B. N.
Dutt, Babu Saral Kumar.	Roy, Mr. Kiran Sankar.
Ghose, Babu Amarendra Nath.	Sen, Srijut Nagendra Nath.

The Ayes being 53 and the Noes 22 the motion was carried.

11-45 a.m.

26.—Police.

The Hon'ble Mr. A. N. MOBERLY: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 1,94,55,000 be granted for expenditure under the head "26—Police."

Srijut RADHA GOBINDA RAY: I beg to move that the demand of Rs. 2,47,000 under the head "26A.—Presidency Police—Superintendence" be reduced by Rs. 35,000.

Sir, in moving this motion I shall say a very few words. From the motion you will see that the sum I have proposed to cut is a very modest one and it can safely be deducted from the total sum of Rs. 2,47,000 without incurring any loss in efficiency of the Presidency Police, and the sum thus saved can very well be utilised in the departments which are starved. In this connection I do not wish to criticise the Calcutta Police, but I would only ask the Hon'ble Mr. Moberly one question and that is whether the Hon'ble Member sincerely means business and is he sincerely desirous of curtailing the expenditure by following the sane and sober policy of retrenchment. Is it not possible to curtail the budget by this small sum? If constructive suggestions offered by us be not accepted, then I do not think we should offer any such suggestions. With these words I beg to commend my motion to the acceptance of the House

The Hon'ble Mr. A. N. MOBERLY: The mover of this motion has chosen rather an unfortunate item for his attempted cut, because I notice that our budget estimate for "Superintendence" for 1929-30 is less than the actuals for 1927-28, and much less than the budget for 1928-29. I think that the fact that the figures are decreasing is sufficient to show that we do mean business in keeping the expenditure as low as possible. I oppose the motion.

The following motion was called but not moved:—

Babu NALINIRANJAN SARKER: "That the demand of Rs. 2,47,000 under the head '26A.—Presidency Police—Superintendence' be reduced by Rs. 101 (to criticise the general policy of superintendence)."

Babu JOGINDRA CHANDRA CHAKRAVARTI: I beg to move that the demand of Rs. 4,80,000 under the head "26A.—Presidency Police—Sergeants" be reduced by Rs. 1,00,000.

We have just now heard the Hon'ble Member-in-charge in replying to the motion of my friend, Babu Radha Gobinda Ray, to say that in comparison with the figures for 1926-27 and 1927-28 the expenditure under the head that was attempted to be reduced has been decreased. I will for one moment ask the hon'ble members to look at the budget figures under the head which is the subject matter of my motion, namely, the pay of the sergeants. In 1927-28 it was Rs. 3,28,000 and odd; in 1928-29 Rs. 3,50,000; in 1928-29 (revised budget) Rs. 3,80,000 and in 1929-30 it is Rs. 4,80,000; so there has been a big jump from 1928-29 to 1929-30 by a lakh of rupees. We all know how these figures have been arrived at. We are aware of the fact that the pay of the sergeants has been considerably increased, and when we look at the figures a little more closely we find that for about 198 sergeants the increase amounts to a lakh of rupees. Roughly, therefore, it is about Rs. 500 per head in the pay of sergeants. Now, Sir, the Hon'ble Mr. Moberly has assured us over and over again that every item of expenditure in the budget is very minutely scrutinised by him and that he has always a sharp eye towards economy. I ask if this is the result of his attempt to economise expenditure under the head "Presidency Police." When we look at the number of officers, constables and assistant sub-inspectors and so on under Calcutta Police, we find that there are 56 inspectors, 100 sub-inspectors, 484 assistant sub-inspectors and 3,483 constables; and besides these we have got 198 sergeants. Members of the House will remember that when this matter was the subject-matter of a special motion in one of the sessions last year, we managed to throw out the demand for increase in salaries in the salary of sergeants and constables. Well, Sir, we remember that this was an item which was reinstated by the powers of certification and we are again asked to vote this demand of Rs. 1,00,000 for increase in the salary of sergeants. The reason that was given at that time by the Hon'ble Member-in-charge for increasing the salary of the sergeants was that the pay that was being paid to the sergeants was not sufficient to induce people to remain in service. Therefore it was thought that it was necessary to increase their pay. I am not aware of the nature of the work that these sergeants are

expected to do in Calcutta, because I do not happen to be a permanent resident of Calcutta. Those gentlemen who remain in Calcutta permanently will perhaps be able to give a better idea as to what work these sergeants really do in the matter of the protection of lives and properties of the citizens of Calcutta. So far as I have been able to notice, we find them standing in street corners and during the Council sessions we find half a dozen of them are deputed here who take their stand at the doors. Whatever work they do, if it is really found necessary to give them increased pay, my point is that it may perhaps be found possible to diminish their numbers. It does not seem that we require 198 sergeants for Calcutta and my complaint is solely due to the fact that this is an unjust and inequitable expenditure of the tax-payers' money. Therefore, I ask the members of this House to take into their consideration these points and then to decide as to whether they will be prepared to vote for this extra amount of a lakh of rupees for 198 sergeants. With these words I commend my motion to the acceptance of the House.

Babu BEJOY KRISHNA BOSE: My friend Mr. Chakravarti has just now said that as he is not a permanent resident of Calcutta, he does not know what are the duties of the sergeants, and he expected that men like myself who live in Calcutta would be able to say something about the duties of the sergeants. In August last when this subject was discussed, I said a good many things about the duties of the sergeants, and I do not want to reiterate what I said on the last occasion. But having regard to the way in which the sergeants move about in the streets of Calcutta and do their duty, I am verily reminded of the words of the poet—

"Pride in their port, defiance in their eye
I see the lords of human kind pass by."

12 noon.

This is my impression about the sergeants of Calcutta. They are of the lords of human kind. If they get an opportunity of breaking the heads of men living in the town, they will probably only be too glad to do so. But, Sir, apart from this, it seems to me that this matter having been decided by the Council on the last occasion, when we refused to increase the pay of the sergeants—and His Excellency the Governor had to certify the amount—it is an insult to the House to call upon it again to vote for the amount for increased salaries. Do the sergeants deserve this increment or not? It has been said by my friend, Mr. Chakravarti, that there are about 198 sergeants. If I am not mistaken, Sir, the full complement of sergeants now in the Calcutta Police is 250. Of these 250 sergeants, about 15 or 20 are attached to the different police stations in Calcutta. The remainder, namely, about 230 to 235, are attached to headquarters at Lall

Bazar. If you look at the duties of these sergeants, you will find that all these 15 or 20 sergeants, who are attached to the different police stations in Calcutta, have got to do the duties of thana officers, whereas the 230 or 235 sergeants, who are posted at Lall Bazar, have to work only for eight hours a day. The Indian inspectors, sub-inspectors and assistant sub-inspectors are supposed to work for 24 hours a day. They have to attend to their duties at any time during the night or day; as a matter of fact, they are on duty for 24 hours. Compare with this the eight hours' work which the 230 or 235 sergeants have got to do during the course of the day. Then, look at the difference in treatment that is meted out to the sergeants and the Indian officers. We are asked to give increased salaries to the sergeants. Why should we give them increased salaries? Look at their kit. What a huge waste of money there is in their kit and clothing. The rules for the supply of kit are violated almost every day. There is a particular contractor who has been supplying clothing to the Police for a long time past. And what clothing and uniform one could get for Rs. 8 in the market, this particular favourite contractor charges double from the Police! Is there nobody to check this waste? Why is this allowed to go on year after year? As regards the uniform of the sergeants—I speak subject to correction—they get 12 suits per year, that is one suit per month; while the Indian officers are given only six suits a year. The inspectors and sub-inspectors are supposed to be superior officers of the sergeants; and while the sergeants get one set of uniform each month, his Indian superior officer gets one set of uniform every two months. With regard to the topee—the head-dress—we know what decent topees the sergeants wear. The Indian officers are given one topee every 3 years, whereas the sergeants can get one at any time in the year. The Indian officers are not human beings; they are only black-skinned superior officers of the white-skinned sergeants, and so they get one topee every three years. Next, look at the shoes which cost Rs. 14 a pair. The sergeants get one pair every six months. In our schooldays, Sir, when we found that our shoes were not wearing out sufficiently quickly, we used to rip them open with a penknife so as to get a new pair of shoes from our parents; but now that we have to purchase our own shoes, we want to wear each pair of shoes for three years at least. The Indian officers get a pair of shoes every 1½ years. The sergeant works eight hours a day and gets a pair of shoes every six months, whereas his Indian superior officer, working 24 hours, gets only one pair every 1½ years.

Then, Sir, from the year 1927, inspectors have been given kit at the rate of Rs. 60 per year, the sub-inspectors at Rs. 50 and the sergeants at Rs. 90. This is very good and humane treatment indeed! Then, there are also other small matters such as waterproofs, etc.

When these Indian officers complain about the invidious treatment that they receive they are told to go to their maternal uncles, the Swarajists in the Bengal Legislative Council. (Mr. D. N. ROY: Why maternal uncle?) My friend asks why maternal uncle; all right, let it be paternal uncle if he so chooses. The sergeants get fine black waterproofs. It is supposed that the waterproofs of the inspectors would be different from the coarse ones of the *paravalas*. Inspectors and sub-inspectors are given coarse waterproofs once in three years, while sergeants are given fine black waterproofs every year.

Then, as regards another matter. There is a poor-box collection. There is no law under which a Magistrate or a police officer can ask anyone to pay to the poor-box. I should like to know how the money from this poor-box fund is distributed. I said in August last that there was a strong case for the appointment of a mixed committee to enquire into the working of the Calcutta Police. Well, is there anyone here who can challenge me when I say that the money from the poor-box is made over to sergeants and their families for travelling expenses to go to the Kalimpong Homes and to Shillong? I should like to have a contradiction from the Hon'ble Member in charge of the Police Department. I should like to see the accounts as to how this money is disbursed. That is how the sergeants are treated. I gave other facts on another occasion, and I do not want to go over the same grounds. But, recently, I have been going through the Annual Report of the Excise Department, and I find that the scale of pay in 1905 in the Calcutta Police for sub-inspectors was Rs. 125—140—150—175. At that time, the sergeants' pay was Rs. 90—5—130. In 1909, the scale of pay for sub-inspectors remained the same, whereas the pay of the sergeants was raised to Rs. 100—5/2—150. In 1919, the scale of pay for sub-inspectors remained the same, a single pice extra was not given to them in 14 years, whereas the scale of pay of the sergeants was raised to Rs. 125—5/2—175. In 1920, the scale of pay for sub-inspectors was raised to Rs. 150—5/2—200, whereas the scale of pay for sergeants was again raised to Rs. 150—5/2—200; therefore, in 1920 the scale of pay of sergeants and sub-inspectors became the same; but in 1928, though the pay of the sub-inspectors remained the same as it was in 1920, the pay of the sergeants has been raised to Rs. 200—5/2—250, that is to 50 per cent. more than the pay of the superior officers.

Now, Sir, the Excise inspectors are recruited from the same class of people as the sub-inspectors of the Calcutta Police, namely, graduates and undergraduates. The former scale of the Excise inspectors was Rs. 100—125—150—175—200—225—250; the present scale of pay is Rs. 150 (first year of probation), then Rs. 175 (second year of probation), then Rs. 200 (on confirmation), then it rises by a triennial

increment of Rs. 25 to Rs. 350, and then it rises by a biennial increment of Rs. 25 to Rs. 400, with an efficiency bar at Rs. 450. Therefore, men of the same status in life, men of the same position in society, and with the same qualifications, get a maximum of Rs. 200 in the Calcutta Police, and a maximum of Rs. 450 in the Excise Department, with a chance of further promotion, if they can pass the efficiency bar at Rs. 450. The sergeants' pay, as I have shown, has also been increased periodically. I submit, Sir, that no case has been made out for any increase in the pay of the sergeants, though I have made out a case for an increase in the pay of the inspectors and sub-inspectors of the Calcutta Police. As this Council rejected on the 2nd of August last the proposal to increase the pay of the sergeants, I hope it will have the moral courage once again to vote for my motion, though this includes also the increase in the pay of the head constables.

I want to mention another matter in this connection. It was said in last August that no Bengali could be obtained for appointment as constables or head constables. I know the reason why Bengalis do not come forward for appointment to these posts. If the Hon'ble Mr. Moberly will come with me to the Calcutta Polo Club grounds, at the Ellenborough Course, where Sir Charles Tegart is an influential member, he will find the new recruits from Dullunda House working as coolies on the turf. I submit, Sir, that no Bengali would do this sort of dirty work. I can show the Hon'ble Member recruits undergoing training in the Calcutta Police employed as malis, before they are permanently appointed as constables, working in the gardens of European officers of the Calcutta Police. This is the reason why you cannot get Bengalis for the lower ranks of the Calcutta Police, and why you have to take in Hindustanis for the purpose. They have come here for their bread, and they are made to do anything they are asked to do.

With these words, Sir, I submit that no case has been made out for the increase in the pay of the sergeants of the Calcutta Police.

Mr. J. CAMPBELL FORRESTER: Mr. President, Sir, the mention of the word "sergeant" brings vividly to my memory the riots of 1926, when the whole city was thrown into a state of chaos and it seemed, as it were, that vultures had descended in the various parts of the city and were seeking to rend with their talons the flesh and blood of their victims. Sir, a small band of people set out from the Central Municipal Office in two motor-cars to see if they could pour oil on troubled waters. Now, in this band were represented Hindus, Muhammadans, Marwaris and Europeans. It went with a peaceful object, and the leader of that band was Mr. Sen Gupta. I will not go into the harassing scenes we witnessed on our rounds.

We went wherever there was disturbance, and I cannot but express my admiration for those men—and especially for the leader, Mr. Sen Gupta—all of whom practically took their lives into their hands, as passions were roused to a very high pitch. We were surrounded time after time by the crowd—we were practically right in the midst of the riots—and, Sir, wherever we went, there were the sergeants doing their duty with wonderful tact, diplomacy and restraint, and generally exercising a soothing and restraining influence. They received nothing but praise from everyone of that party. Even those who opposed the increase in their salaries on previous occasions—and who will no doubt oppose them again on the next occasion their salaries come up before this Council—had nothing but praise for them.

Well, Sir, at the present time, when there is a great deal of labour unrest—when the attitude of labour is uncertain—strikes may break out at any time both in Indian and European concerns, and quickly develop into riots. Whenever this happens, who are the people whose assistance is asked for first? It is these European sergeants. Sir, we must encourage this type of men. They are the real backbone of the police force, and they have got the confidence of the public, and it is only right that they should be encouraged. If you do not give them adequate pay and comfortable conditions of living, you will have a great deal of desertions and resignations.

12-15 p.m.

This class of men is wanted for Calcutta on account of the unrest and on account of the increased traffic. I have nothing but admiration for them. Here in Calcutta the traffic conditions that you find are worse than anywhere in the world. We have here bullock carts, buffalo carts, tikka gharries and motor cars, the drivers of which are more or less ignorant and do not understand the traffic problem. Sir, these men whose pay you want to cut, control this traffic. I would impress upon the House that these men should not only have an increase of pay, but there should also be an increase in their staff.

There is another point. Some mention has been made about a few extra pairs of boots being given to the sergeants. It is heads that count here not boots. Feet you can always get, but heads that can be used is more important. I think it must be agreed that the sergeants' heads are the most useful in controlling law and order. I want this House to be impressed with the fact that in times of great trouble persons on whom the people will depend for holding the balance even in communal riots are these sergeants who have got the confidence of both the communities.

With these words I strongly object to a cut being made in their pay.

The Hon'ble Mr. A. N. MOBERLY: Sir, I am glad that Mr. Campbell Forrester has reminded the House about the riots in Calcutta in 1926. At the time of those riots it was found that the staff of sergeants was inadequate and assistance had to be obtained from the military. The Government of India were not prepared to give us permanent assistance, and it was necessary, therefore, to increase the staff of sergeants. At that time this Council was duly grateful for the work which had been done by the sergeants. Since 1926 Calcutta has been free from serious rioting, but members may not realise that the reason for this freedom is not that the causes which contributed to the riots of 1926 are absent, but that dispositions can now be made which cause the forces of disorder to think twice before they invite a conflict with the police. Mr. Prentice pointed out last rains the reasons why he had to ask for higher pay for the sergeants. It has been pointed out that the actuals in 1927-28 were comparatively small. The reason for that is that we could not get the men. As Mr. Prentice pointed out, the Commanding Officers of regiments warned their men against service in Calcutta because the pay and conditions offered were not sufficient to ensure them a decent livelihood. If we want sergeants of the type which we have learnt that Calcutta expects, we must offer them the pay which is now being provided. Otherwise we cannot get them. I do not think I need say much about the work of the sergeants. If they did nothing at all except during the occasion of riots and threatened riots, I think we should probably have to keep them; but they have a great deal more to do than that, for example in the way of traffic control in a city where, as has already been pointed out, traffic control is peculiarly difficult.

Mr. B. K. Bose has said that there are 250 sergeants. I do not know his authority but I can only find that we have made provisions for 211. He raised the question of clothing charges. This question has not been raised before, and I have not examined the details as regards the items of clothing supplied to different ranks. But I notice that we are budgeting for a smaller sum for clothing charges in 1929-30 than we spent in 1927-28 or than we asked for in 1928-29. At any rate there is no increase there.

Then Mr. Bose has spoken about the pay of the sub-inspectors. Well, Sir, I am not prepared to say one way or the other before going deeply into the question as to whether the pay of the sub-inspectors should or should not be increased. But there is this difference between the sub-inspectors and the sergeants and constables. We can get sub-inspectors for their present pay but we could not get sergeants or constables.

We are always being assailed about the size of the Police budget. If we ask for an extra few lakhs for an increase in the pay of the sub-inspectors we shall be met with a howl about the " pampered "

police. I therefore sympathise with Mr. Bose's suggestion that the sub-inspectors should get more pay, but I cannot commit Government to raising this question just at present.

The last point raised by Mr. Bose was about the poor-box. I am sorry to say I had no notice of this. I know nothing about the poor-box, from where the money is got or how it is spent.

Mr. PRESIDENT: I am afraid I did not put motion No. 455. I put that motion now.

The motion of Srijut Radha Gobinda Ray was then put and lost.

The motion of Babu Jogendra Chandra Chakravarti was then put and a division taken with the following result:—

AYES.

Ahamad, Maulvi Asimuddin.
Bagchi, Babu Romes Chandra.
Banerjea, Dr. Pramathanath.
Banerjee, Babu Promotha Nath.
Basu, Babu Sasi Sekhar.
Basu, Mr. P. C.
Biswas, Babu Surendra Nath.
Bose, Babu Bejoy Krishna.
Chakraburtty, Babu Jatindra Nath.
Chakravarti, Babu Jogindra Chandra.
Chatterjee, Srijut Bijay Kumar.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dutt, Babu Saral Kumar.
Ghose, Babu Amarendra Nath.
Gupta, Mr. Jogesh Chandra.
Heque, Kazi Emdadul.
Maiti, Babu Mahendra Nath.
Moitra, Srijut Jogendra Nath.
Nasker, Babu Hem Chandra.
Pal Choudhuri, Mr. Ranjit.
Rahman, Maulvi Azizur.
Ray, Dr. Kumud Sankar.
Ray, Srijut Radha Gobinda.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Sarker, Babu Naliniranjan.
Sen, Srijut Nagendra Nath.

NOES.

Acharjya Chaudhuri, Maharaja Shashi Kanta.
Afzal, Maulvi Syed Muhammad.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin
Blair, Mr. J. R.
Casselis, Mr. A.
Chaudhuri, Khan Bahadur Maulvi Nafizar Rahman.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Clark, Mr. I. A.
Cohen, Mr. D. J.
Dash, Mr. A. J.
Drummond, Mr. J. G.
Farequi, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell
Fyfe, Mr. J. H.
Ghose, Mr. M. C.
Ghuznavi, Alhadj Sir Abdelkerim.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Habibullah, Nawab Khwaja.
Haque, Khan Bahadur Maulvi Azizul.
Hogg, Mr. G. P.
Hosain, Nawab Musharruf, Khan Bahadur.
Hussain, Maulvi Latafat.
Jenkins, Dr. W. A.
Khan, Maulvi Tamizuddin.
Khan, Mr. Razzur Rahman.
Lamb, Mr. T.
Maguire, Mr. L. T.
Marr, the Hon'ble Mr. A.
Martin, Mr. O. S.
McCluskie, Mr. E. T.
Mitter, the Hon'ble Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. N.
Mukerji, Mr. S. C.
Ordish, Mr. J. E.
Ormond, Mr. E. C.
Philip, Mr. J. Y.
Prentice, Mr. W. D. R.
Ray, Babu Surendra Nath.
Rees, Mr. G. F.
Roy, Mr. Bijoy Prasad Singh.
Sattar, Khan Bahadur Abdus.
Stapleton, Mr. H. E.
Tate, Major General Godfrey.
Thomas, Mr. H. W.
Travers, Mr. W. L.
Twynam, Mr. H. J.
Wordsworth, Mr. W. C.

The Ayes being 29 and the Noes 49, the motion was lost.

12-30 p.m.

The following motions were called but not moved:—

Babu NALINIRANJAN SARKER: "That the demand of Rs. 31,86,000 under the head '26A.—Presidency Police—Calcutta Police' be reduced by Rs. 3,66,000."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 41,950 under the head '26A.—Presidency Police—Charges under the Calcutta Hackney Carriage Act of 1919' be reduced by Rs. 35,576."

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 5,14,800 under the head '26A.—Presidency Police—Port Police' be reduced by Rs. 90,000."

Mr. S. C. BOSE: "That the demand of Rs. 5,14,800 under the head '26A.—Presidency Police—Port Police' be reduced by Rs. 100 (to criticise the control of the Government and general administration of the Calcutta Port Trusts)."

Mr. PRESIDENT: We can have one discussion on motions Nos. 464 to 469.

Maulvi ASIMUDDIN AHAMAD moved that the demand of Rs. 41,16,250 under the head "26A.—Presidency Police" be reduced by Rs. 31,74,144.

He spoke in Bengali, the English translation of which is as follows:—

"In other civilised countries the duties of the police are to look to the convenience and inconvenience, good or otherwise, of the people, to find out whether the people have food and cloth, to conduct men who have lost their way to their destination, to enquire if poor people when they are ill have medicine and diet and when they have not to bring the matter to the notice of Government for redress.

But in our country the duties of the police are to keep watch on the attempt a man may make for improvement, on people's efforts to organise themselves and on adverse criticism in any quarter against Government's policy.

There are peasants and labourers in our country whom Government have not given franchise, who have no elected representatives in the Council and who are behind other classes of people in education, culture and prosperity. There is indeed none to help them to improve their lot. When any gentleman, any well-wisher of these peasants and labourers tries to improve their lot, Government immediately put a

stop to all activities by means of repressive policy. We know what the gentlemen whom the police arrested in Calcutta three or four days back had done. We know that they were sincere friends of the poor, they were not evil-doers. By arresting them the police have placed a serious obstacle in the path of the improvement of the peasants and labourers. No sensible man can help protesting against this reprehensible policy of Government. I am asked not to say anything against Government because this is a demand for the police. But by police I understand Government and by Government I understand the police. Government spend for the police more money than they spend for other departments, they put implicit faith in the police and have given them unlimited powers. Such unlimited powers have not been given to any other department. I am asked to confine my remarks to the Presidency Police. I shall do so.

We have always told Government that as the result of giving such unlimited powers to the police the country is severely suffering from oppression by them and Government too have become unpopular. If Government do not remedy this state of things without delay the country will prepare for rising against Government.

If men are obstructed in working for their food and cloth and if they actually see their family suffering from want of food and cloth, is it in human power to put up with such a state of things? Nearly half the population of the country is on the way to death but Government do not pay any attention to this. Government increase police expenditure every year and give them various facilities without paying any heed to protests. The people will not put up long with this injustice and oppression. Their eyes will open and then the police would not be able to save Government."

The following motions were called but not moved:—

Babu AKHIL CHANDRA DATTA: "That the demand of Rs. 41,16,250 under the head '26A.—Presidency Police' be reduced by Rs. 9,42,106 (the amount in excess over the actuals of 1927-28)."

Babu KHAGENDRA NATH GANGULY: "That the demand of Rs. 41,16,250 under the head '26A.—Presidency Police' be reduced by Rs. 9,00,000."

Babu BEJOY KRISHNA BOSE: Sir, I beg to move that the demand of Rs. 41,16,250 under the head "26A.—Presidency Police" be reduced by Rs. 5,00,000. In doing so I am oppressed by a feeling of despondency. In this Council we are wasting our time in useless discussions and useless divisions. I could have as well said what I wanted to say on the maidan outside this House. Who are listening to our speeches? Who are going to be convinced by facts and figures?

When the division bell rings, in rushes the members to vote according to certain directions, and not convinced by the facts and figures we give. I do not find even five or six European or Muhammadan members listening to the debate.

Mr. PRESIDENT: I am afraid I cannot allow you to cast reflections on the character or proceedings of this House.

Babu BEJOY KRISHNA BOSE: I am casting no reflection. I say it is useless to discuss this budget if they do not hear our arguments, but vote according to their own inclinations. This Police budget is a very important budget, and, Sir, there is hardly any quorum to listen to the debate. We are mere automatons to carry out certain policy here. With regard to this demand, the first thing that strikes one after a perusal of the budget is, as my friend said just now, that most of the money is being spent on the police, and this amount always shows a tendency to increase, while the amounts spent on other subjects such as Education, Sanitation, etc., do not show any such tendency. If you look at the Presidency Police demand, you will find that in the year 1922-23, when the Retrenchment Committee was appointed, the expenditure under this head was Rs. 31,81,150. In 1924 the Retrenchment Committee reported that in the Presidency Police alone there was scope for a reduction of Rs. 8,13,500. So that taking the budget figure of 1923 and taking the recommendation of the Retrenchment Committee, the next year's (1924-25) figure should have been somewhere near Rs. 23,00,000. But that year the amount was increased to Rs. 32,62,543. Then, Sir, in 1927-28 there was a further increase to Rs. 33,55,529, and in the estimates for the coming year I find that the Presidency Police demand is for Rs. 42,82,000. That is to say, as is explained at page 60 of the red book, the next year's estimate is higher by Rs. 5,26,000. From this you deduct Rs. 21,000 for the weigh-bridge in the Public Vehicles Department office and you deduct Rs. 19,000 as the net expenses of the police in the King George's dock. You will find that the balance of Rs. 4,86,000 of the increased expenditure is almost entirely due to increased rates of pay of the sergeants of the police force. Well, Sir, we discussed this subject before, and in spite of our protest the Government automatically had a victory and therefore I am not going to enter into this matter again.

With regard to the other increases under Presidency Police, I find at page 59 of the red book that a provision of Rs. 1,55,000 has been made for the construction of quarters for married officers.

The Hon'ble Mr. A. N. MOBERLY: Sir, it would save time if I pointed out at this stage that this does not come under "26.—Police." It comes under "Civil Works."

Mr. PRESIDENT: I think the member referred to that incidentally, because that is not his point as indicated by the terms of the motion itself. He should not labour that point any further.

Babu BEJOY KRISHNA BOSE: My point is that in the Police Department one expects that the police officers will put up in the police quarters.

12-45 p.m.

May I ask what is the reason that for the last ten years the General Traffic Manager of the Eastern Bengal Railway has been putting up at the police headquarters at Lal Bazar in premises constructed with money voted by this Council for the police? Is any amount of rent taken from him? Perhaps nothing of the kind. Anybody who pays a visit to the headquarters will see that a non-police officer is living there in premises built for police officers.

Then, Sir, with regard to this sum of Rs. 41,16,250 going to be spent next year—apart from the increase in the pay of sergeants and other officers— my point is that I find in it a gradual increase of nearly Rs. 12 lakhs within the last ten years. If we compare the money spent with the amount of work put forth by the whole Police Department the difference will be very great. I was reading the other day the Administration Report of the Calcutta Police and I found that there are only 5,639 officers and men in the force. Apart from petty cases of theft and burglary I found that the whole force—so I find from the report—had investigated only 44 important cases in Calcutta, *i.e.*, there were 30 coining cases, 16 dacoity cases, 2 of murder and 12 cases of robbery. All other cases are: theft cases, 1,438; burglary cases, 306; cases under section 441 of the Criminal Procedure Code, 130. These are petty cases which should have been investigated by head constables. And this force of 5,639, for whom we are going to vote this large sum were responsible for sending up only 44 important cases! And there were 759 cases under the Motor Vehicles Department. Sir, much has been said by Mr. Campbell Forrester about the traffic duties of the police. Anybody connected with the criminal courts very well knows that most of these cases are not cases of accident but cases of a petty nature involving a violation of the rules, blowing of horns, proceeding at a great speed, putting out of back lights and so forth. Therefore, Sir, this huge amount of Rs. 42 lakhs is going to be spent on a force of 5,639 men and officers who do very little of investigation work.

Sir, it has been said that in cases of rioting and labour disputes and so forth, it is necessary to call out the sergeants. But this seldom happens and even when such things happen, I do submit that sergeants should not be retained as part of the permanent force. I submit that

much of the work that is to be done by officers for whom we are asked to vote this sum can be done by Indian officers. It cannot be said that Indian Deputy Commissioners and Assistant Commissioners of Police are not capable of quelling these riots when they take place. There is nothing in the fact so often said that as soon as sergeants are called out, the disturbances are brought under control and put a stop to. The Indian officers are quite capable of coping with these disturbances if they are given an opportunity. Therefore I submit that this motion should be accepted although I am afraid it will not be.

The following motion was called but not moved:—

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 41,16,250 under the head '26A.—Presidency Police' be reduced by Re. 1 (to discuss the heavy expenditure)."

The Hon'ble Mr. A. N. MOBERLY: I admit that there is a large increase in the budget estimate of the Presidency Police for the year 1929-30; that increase is solely due to the increased pay of establishment. We discussed the question of sergeants just now. The question of constables was also put before the Council in great detail by Mr. Prentice last July. Perhaps I need not go into that very deeply again as my friends on the other side have not gone very deeply into it. Actually we could not get constables at the price we were offering, so we had to offer a price at which we hoped to be able to get them.

Apart from the pay of establishment our budget for 1929-30 is a few thousand rupees less than the actuals of 1927-28. I think that shows that we have done our best to keep expenditure down.

The next point that was raised was the matter of crime. I am glad to say that there has been a very substantial decrease in robberies, for which the people of Calcutta should be thankful, but murder, dacoity and robbery are not the only items. The police as a matter of fact sent up for trial in 1927—the latest year for which I have statistics handy—no fewer than 135,588 persons of whom the courts convicted rather over 90 per cent.

My last point is as regards numbers. On occasions on which the peace of Calcutta is threatened, on the occasions of the larger festivals, the entire police force is in the streets of Calcutta practically from morning to night and they have had to be reinforced by the Eastern Frontier Rifles who are not intended for work in Calcutta. I am afraid I cannot see my way to accepting any reduction either in personnel or in pay. I oppose these motions.

The motion that the demand of Rs. 41,16,250 under the head "26A.—Presidency Police" be reduced by Rs. 31,74,144 was put and lost.

The motion that the demand of Rs. 41,16,250 under the head "26A.—Presidency Police" be reduced by Rs. 5,00,000 was then put and a division taken with the following result:—

AYES.

Bagchi, Babu Romes Chandra.
Banerjea, Dr. Pramathanath.
Banerjee, Babu Prometha Nath.
Basu, Babu Sasi Sekhar.
Basu, Mr. P. C.
Biswas, Babu Surendra Nath.
Bose, Babu Bejoy Krishna.
Bose, Mr. S. C.
Chakraburtty, Babu Jatindra Nath.
Chakravarti, Babu Jogindra Chandra.
Chatterjee, Srijut Bijay Kumar.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dutt, Babu Saral Kumar.
Ghose, Babu Amarendra Nath.
Gupta, Mr. Jogesh Chandra.
Hoque, Kazi Emdadul.
Maiti, Babu Mahendra Nath.
Maitra, Srijut Jogendra Nath.
Nasker, Babu Hem Chandra.
Pal Chaudhuri, Mr. Ranjit.
Ray, Dr. Kumud Sankar.
Ray, Srijut Radha Gobinda.
Roy, Dr. Bidhan Chandra.
Ray, Mr. D. N.
Roy, Mr. Kiran Sankar.
Sarker, Babu Naliniranjan.
Sen, Srijut Nagendra Nath.

NOES.

Acharjya Chaudhuri, Maharaja Shashi Kanta.
Afzal, Maulvi Syed Muhammad.
Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Blair, Mr. J. R.
Casselis, Mr. A.
Chaudhuri, Khan Bahadur Maulvi Hafizar Rahman.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Choudhury, Maulvi Khorshed Alam.
Clark, Mr. I. A.
Cohen, Mr. D. J.
Dash, Mr. A. J.
Drummond, Mr. J. G.
Farequi, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Fyfe, Mr. J. H.
Ghose, Mr. M. C.
Ghosh Maulik, Mr. Satyendra Chandra.
Ghuznavi, Alhadj Sir Abdelkerim.
Goenka, Rai Bahadur Badridas.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Habibullah, Nawab Khwaja.
Haque, Khan Bahadur Maulvi Azizul.
Hegg, Mr. S. P.
Hosain, Nawab Musharruf, Khan Bahadur.
Hussain, Khan Bahadur Maulvi Syed Maqbul.
Hussain, Maulvi Latafat.
Jenkins, Dr. W. A.
Karim, Maulvi Abdul.
Khan, Maulvi Tamizuddin.
Khan, Mr. Razaur Rahman.
Lamb, Mr. T.
Maguire, Mr. L. T.
Marr, the Hon'ble Mr. A.
Martin, Mr. O. S.
McCluskie, Mr. E. T.
Mitter, the Hon'ble Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. H.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Ordish, Mr. J. E.
Ormond, Mr. E. C.
Philip, Mr. J. Y.
Prentice, Mr. W. D. R.
Rahman, Mr. A. F.
Rauf, Maulvi Syed Abdur.
Ray, Babu Surendra Nath.
Rose, Mr. C. F.
Roy, Mr. Bijoy Prasad Singh.
Sarker, Rai Sahib Rebati Mohan.
Sattar, Khan Bahadur Abdus.
Sattar, Mr. Abdool Razak Hajee Abdool.
Sinha, Raja Bahadur Bhupendra Narayan.
Stapleton, Mr. H. E.
Suhrawardy, Mr. H. S.
Tate, Major General Godfrey.
Thomas, Mr. H. W.
Travers, Mr. W. L.
Twynam, Mr. H. J.
Wordsworth, Mr. W. C.

The Ayes being 28 and the Noes 61 the motion was lost.

1 p.m.

Mr. PRESIDENT: I propose that motions Nos. 470 and 471 be discussed together, although I shall put them separately.

Babu RADHA GOBINDA RAY: I beg to move that the demand of Rs. 1,61,700 under the head " 26B.—Superintendence " be reduced by Rs. 25,000.

Sir, in this connection I would like to point out to this House not by any detailed criticisms but by a superficial analysis of the figures that have been put in the budget estimate. The huge amount that is spent on this department can very easily be reduced. From the budget estimate we find that there are six officers, viz., one Inspector-General and five Deputy Inspectors-General—Inspector-General on a pay of Rs. 2,750 , four Deputy Inspectors-General on Rs. 2,150 and one on Rs. 1,950. The duty of these officers are well known to the members of this House. These officers have certainly very important functions to perform, because they are in charge of the whole department of Police administration which, in the words of my friend Maulvi Asimuddin Ahamad, is practically the Government of this province. But the poor head constables get only Rs. 33 per month and constables Rs. 24 only. Then for travelling allowances of these officers we find Rs. 1,400 under the voted head, and Rs. 14,000 under the non-voted. It seems they are not in a position to spend this sum from their salaries, and as a matter of fact no officer of Government is allowed to spend anything in the way of travelling expenses from his own pocket. Moreover, the cost of passage granted under the Superior Civil Services Rules, 1924 (non-voted) amounts to Rs. 7,100. So we find that this huge sum is spent for the upkeep of a department, which, though I must say, is necessary can be very well maintained at a lesser cost, if we are sincerely desirous of curtailing expenditure. I have given many modest motions for curtailment not with the object of criticising the particular department, but with the object of pointing out that if our suggestions for retrenchment are sincerely accepted, there is a way of effecting retrenchment, even if the ideal of present Government be not changed. I say there is ample scope for retrenchment. But, Sir, the officials do not want retrenchment sincerely. I revert to the old story and repeat that the Government officials who have been ordained to rule over this country are not sympathetic towards us and are not sincerely conscious of the extremely horrible distress which the people have to suffer. Therefore I think that a detailed criticism of the figures will serve no useful purpose. In the year 1927, Rai Harendranath Chaudhuri pointed out to the members of this House by a systematic quotation from the figures of Bombay, Madras and the United Provinces that the money spent by these provincial Governments in the matter of superintendence was much less than the money spent here in Bengal, and he has systematically criticised that from whatever angle of vision we may consider the question the Government of Bengal is not justified in any

way in keeping so many officers—Inspector-General, Deputy Inspectors-General and other gazetted officers for superintendence. So there is ample scope for retrenchment. With these few words I request, in the name of the poor people of Bengal, the Hon'ble Mr. Moberly to take our suggestions and exhortations in whatever light he may take and curtail this item of expenditure and spend the money in relieving the distress of the poor people. If that is done, this Government will be in a position to rule over us for several years. But if the Government goes on neglecting the members of this Council who represent the feelings of the people outside, then I may tell you, Sir, that the day of reckoning will soon come and it will have to pay very severely for its policy. With these words, I commend my motion to the acceptance of the House.

The following motion was called but not moved:—

Babu NALINIRANJAN SARKER: "That the demand of Rs. 1,61,700 under the head '26B.—Superintendence' be reduced by Rs. 100 (to criticise the general policy of superintendence)."

Babu AMARENDRA NATH GHOSE spoke in Bengali in support of the motion moved by Srijut Radha Gobinda Ray.

Mr. P. C. BASU: I beg to support the motion of Babu Radha Gobinda Ray. Sir, in this connection I will just refer you to the rapid increase in expenditure under this head in this province from the year 1913 to the year 1928-29. I shall just refer to a report which has been published by Mr. J. N. Gupta, a member of the Indian Civil Service since retired. At page 17 of the report I find that in the year 1913-14 the expenditure in Bengal, so far as the Police Department is concerned, amounted only to Rs. 94,71,081. In the year of grace 1928-29 the expenditure on the Police Department has increased more than double; and we find now the estimate placed at Rs. 1,94,55,000. The figures show how the expenditure on the department has developed during the last decade. I may tell you, Sir, that Calcutta alone swallows up a sum of nearly Rs. 40 lakhs although it does not pay———

The Hon'ble Mr. A. N. MOBERLY: On a point of order, Sir. We are now discussing the head of "superintendence" in the Bengal Police.

Mr. PRESIDENT: I take your remarks as introductory. You will now confine yourself to the head "26B.—Superintendence."

Mr. P. C. BASU: I was referring to it.

1-15 p.m.

Calcutta which pays not a pice to the Police Department swallows Rs. 20 lakhs for its police while the revenue that is derived from Calcutta is taken by the Government of India. That is the reason why I have referred to it incidentally.

With reference to this particular item, the Hon'ble Mr. Moberly pointed out that it refers only to the Superintendence, and I wish to confine myself to it. What really the superintendence over the Police Department should be? We all know that the duty of the police is the detection of crime. Is the police efficient in this direction? Do we find any detection of crimes? Is it not a fact that the police requires to be told that a crime has been committed by such and such a person, and then they will do the rest. This is the thing that has been going on ever since the department has been in existence. So far as the efficiency of the department is concerned, we have not got to say anything about it. What are they busy to look after? The other day I came to learn as to how a certain Superintendent of Police was busy with his duty of the detection of crime—he was very busy with his work in connection with the meetings for the boycott of foreign goods. These are now the duties of a Superintendent of Police. I suppose in every district the Superintendent of Police and his department are mainly concerned with work of such nature, and they absolutely ignore their primary responsibility for the detection of crime, and the protection of the people from such crimes. In fact they are busy with things that have no concern with the Police Department itself.

Sir, I shall just refer to one or two things which I find in connection with this department. As my friend Babu Amarendra Nath Ghose has pointed out, it is a top-heavy administration. Although the Retrenchment Committee recommended that there was no necessity to have so many Inspectors-General and Deputy Inspectors-General still the Government has not yet thought fit to reduce the number of these officers; they are rather on the increase.

With these words I support the motion of Srijut Radha Gobinda Ray.

The Hon'ble Mr. A. N. MOBERLY: Sir, I am grateful to the mover of this motion for his observation that the pay of the constables and head-constables is too small. I most sincerely hope that subsequent speakers will bear these observations in mind, and I think that will probably save us a good deal of time.

As regards the other points, he dealt chiefly with the pay of officers of the Indian Police Service and their allowances. The pay

and allowances of the officers of the Indian Police Service are non-voted and are fixed by the Secretary of State for India. I am afraid that whatever this House thinks about it we cannot help making provision for these items in the budget according to the sanctioned scale.

I do not propose to follow Mr. Basu very far in his discursive address. He has taught me one thing, and that is that the most important duty of the police is the detection of crime. I was surprised to hear that. I always understood that the most important part of police work was the prevention of crime. When he came to details, he talked about the Superintendent of Police. They come under a different head, and I do not propose to speak about them now. Finally, he said that instead of accepting the suggestions of the Retrenchment Committee that the number of Deputy Inspectors-General of Police should be reduced, we have increased them. At the time when the Bengal Retrenchment Committee sat there were seven Deputy Inspectors-General of Police and this number was reduced to six. For a good many years past there have been six Deputy Inspectors-General and we consider that six are necessary.

With these words I beg to oppose this motion.

The motion of Srijut Radha Gobinda Ray was then put and a division taken with the following result:—

AYES.

Bagchi, Babu Romes Chandra.
Banerjee, Babu Promotha Nath.
Basu, Babu Sasi Sekhar.
Basu, Mr. P. C.
Biswas, Babu Surendra Nath.
Bose, Babu Bejoy Krishna.
Bose, Mr. S. C.
Chakraburtty, Babu Jatindra Nath.
Chakravarti, Babu Jogindra Chandra.
Das Gupta, Dr. J. M.
Datta, Babu Akhil Chandra.
Dutt, Babu Saral Kumar.
Ghose, Babu Amarendra Nath.
Gupta, Mr. Jogesh Chandra.
Hoque, Qazi Emdadul.
Maiti, Babu Mahendra Nath.
Nasker, Babu Hem Chandra.
Pal Choudhuri, Mr. Ranjit.
Ray, Dr. Kumud Sankar.
Ray, Srijut Radha Gobinda.
Ray, Babu Manmatha Nath.
Roy, Dr. Bidhan Chandra.
Ray, Mr. D. N.
Roy, Mr. Kiran Sankar.
Sarker, Babu Naliniranjan.

NOES.

Afzal, Maulvi Syed Muhammad.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Blair, Mr. J. R.
Casselis, Mr. A.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Choudhury, Maulvi Khorshed Alam.
Clark, Mr. I. A.
Cohen, Mr. D. J.
Dash, Mr. A. J.
Drummond, Mr. J. G.
Farequi, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Fyfe, Mr. J. H.
Ghose, Mr. M. C.
Ghosh Maulik, Mr. Satyendra Chandra.
Ghuznavi, Alhadj Sir Abdelkerim.
Goenka, Rai Bahadur Badridas.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Habibullah, Nawab Khwaja.
Haque, Khan Bahadur Maulvi Azizul.
Hogg, Mr. G. P.
Hussain, Khan Bahadur Maulvi Syed Maqbul.
Hussain, Maulvi Latafat.
Jenkins, Dr. W. A.
Karim, Maulvi Abdul.
Khan, Maulvi Tamizuddin.
Khan, Mr. Razaur Rahman.
Lamb, Mr. T.
Maguire, Mr. L. T.

Marr, the Hon'ble Mr. A.
McCluskie, Mr. E. T.
Mitter, the Hon'ble Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. N.
Mukherji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Ordish, Mr. J. E.
Ormond, Mr. E. C.
Philip, Mr. J. Y.
Prentice, Mr. W. D. R.
Ray, Babu Surendra Nath.
Rose, Mr. C. F.
Roy, Mr. Bijoy Prasad Singh.
Sarker, Rai Sahib Rohati Mohan.
Sattar, Khan Bahadur Abdus.
Sattar, Mr. Abdool Razak Hajee Abdool.
Sinha, Raja Bahadur Bhupendra Narayan.
Stapleton, Mr. H. E.
Tate, Major General Godfrey.
Thomas, Mr. H. W.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Twynam, Mr. H. J.
Wordsworth, Mr. W. C.

The Ayes being 25 and the Noes 54, the motion was lost.

Adjournment.

The Council was then adjourned till 3 p.m., on Tuesday, the 26th March, 1929, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Town Hall, Calcutta, on Tuesday, the 26th March, 1929, at 3 p.m.

Present:

The Hon'ble the President (the Hon'ble Raja MANMATHA NATH RAY CHAUDHURI, of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, and 97 nominated and elected members.

Oath.

The following member made an oath of his allegiance to the Crown:—

Mr. W. S. HOPKYNS, C.I.E., O.B.E.

Starred questions

(to which oral answers were given).

Arrest of ex-détenu Monoranjan Gupta at Bezwada.

*96. **Mr. SUBHAS CHANDRA BOSE:** Will the Hon'ble Member in charge of the Political Department be pleased to state—

(*a*) whether Government is aware of the arrest of ex-détenu Srijut Monoranjan Gupta under section 151, Criminal Procedure Code, at Bezwada (Madras) on the night of the 12th March, 1929;

(*b*) whether the arrest was made under the instructions (direct or indirect) of the Bengal Police of Bengal Government, as the case may be;

(*c*) if so, what is the reason thereof;

(*d*) whether it is a fact that two Bengali C.I.D.'s shadowed Srijut Monoranjan Gupta during his journey and at Masulipatam actually subjected him to many questions;

(*e*) whether it is a fact that while on sick-bed, suffering from acute influenza, Srijut Monoranjan Gupta was arrested at the dead of night and without any warrant;

(*f*) whether it is a fact that Srijut Monoranjan Gupta was arrested without any charges being framed against him;

(*g*) whether it is a fact that the Superintendent of the Bezwada Sub-Jail at first refused Srijut Monoranjan Gupta any supply of diet and bedding from outside;

(*h*) whether it is a fact that all the belongings of Srijut Monoranjan Gupta were searched and the copies of publications of his press and firms, as also his other documents, were seized by the Police for which no list of seized articles was furnished;

(*i*) whether it is a fact that Srijut Monoranjan Gupta was not produced before the Magistrate for bail until at 8-30 p.m. of the following night in spite of repeated requests made by the intending sureties;

(*j*) whether the arrest of Srijut Monoranjan Gupta has any connexion with the passing of the Simon Commission *vid* Bezwada;

(*k*) whether the Bengal C.I.D. was consulted by the Madras C.I.D. prior to allowing bail to Srijut Monoranjan Gupta;

(*l*) if so, what reply or opinion was given by the Bengal C.I.D.; and

(*m*) whether it is a fact that the Madras Police has asked the Intelligence Branch of the Bengal C.I.D. to furnish them with Police report about Srijut Monoranjan Gupta in order to proceed against him?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. A. N. Moberly): (*a*) Yes. A wire was received on March 12th, stating that Monoranjan Gupta had been arrested and asking if he was wanted. The services of a Bengali-knowing officer were also requested. In reply it was stated that Monoranjan Gupta was not wanted in Bengal and that an officer could not be spared.

(*b*) No.

(*c*) Does not arise.

(*d*) Not as far as this Government is aware.

(*e*) to (*j*) Government have no information.

(*k*) No.

(*l*) Does not arise.

(*m*) No.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Member be pleased to state whether Government have made any enquiries regarding the fact that two C.I.D. officers have been shadowing Srijut Monoranjan Gupta?

The Hon'ble Mr. A. N. MOBERLY: No, Sir.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Member be pleased to state the reasons why Government have not enquired, after notice of this question was given?

The Hon'ble Mr. A. N. MOBERLY: It is not a matter which concerns this Province at all. We gave no orders that he should be shadowed.

Civil suits to set aside Union Board elections.

*97. **Babu JATINDRA NATH CHAKRABURTTY:** (*a*) Will the Hon'ble Member in charge of Department of Local Self-Government be pleased to state how many civil suits have been instituted for setting aside the election of members and Presidents of Union Boards in Bengal in 1926-27 and 1928?

(*b*) In how many cases has the election been set aside?

(*c*) Will the Hon'ble Member be pleased to state whether the Government have spent any money in connection with these cases?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Member be pleased to state—

(*i*) how much money has been spent for such cases;

(*ii*) for which party, plaintiff or defendant, the money was spent; and

(*iii*) the result in each such case?

MEMBER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (the Hon'ble Sir Provash Chunder Mitter): (*a*) Twenty-four, excluding three suits instituted in 1925 and disposed of in 1926.

(*b*) In four cases.

(*c*) In five cases.

(*d*) (*i*) Rs. 178-14-0.

(*ii*) Defendants.

(*iii*) In three cases the election was set aside, and in the other two the suit was dismissed, this being on compromise in one of these two cases.

Proposed conference on the subject of Howrah Improvement Trust Bill.

*98. **Babu KHAGENDRA NATH GANGULY:** (*a*) With reference to the reply given to my unstarred question No. 58 at the meeting of the Bengal Legislative Council held on the 18th February, 1924, will the Hon'ble Member in charge of the Department of Local Self-Government be pleased to state whether the Government are now in a position to state definitely as to when they will be able to introduce a Howrah Improvement Trust Bill in the Council?

(*b*) If the Government are not in a position to make a definite statement even now, will the Hon'ble Member be pleased to state the reasons therefor?

(*c*) Has the attention of the Hon'ble Member been drawn to the official letter No. 12 T.M., dated the 8th September, 1927, from the Secretary, Local Self-Government Department, to the Commissioner of the Burdwan Division, intimating the desire of Government to confer with the representatives of the Municipal Commissioners of Howrah?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Member be pleased to state what steps, if any, have been taken by the Government in the matter?

(*e*) If no action has yet been taken, will the Hon'ble Member be pleased to state whether it is in the contemplation of Government to hold the proposed conference? If so, when?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) to (*e*) It is proposed to convene a conference on the subject and a statement will be issued shortly.

The Bengal (Rural) Primary Education Bill, 1929.

Nawab MUSHARRUF HOSAIN, Khan Bahadur: Sir, I beg to present the report of the Select Committee on the Bengal (Rural) Primary Education Bill, 1929.

Demands for Grants.

28.—Police.

The following motion was called but not moved:—

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 1,90,000 under the head '26C.—District Executive Force—District Police—Pay of officers' be reduced by Rs. 100 (to discuss the system of recruitment and position of the Muslim community)."

Babu SARAL KUMAR DUTT: Sir, I beg to move that the demand of Rs. 1,90,000 under the head "26C.—District Executive Force—Pay of officers" be reduced by Re. 1 (to draw attention to the highhanded action of the police in connection with the recent exhibition affairs of 27th January, 1929, at Barisal, Bakarganj).

Sir, I have already given my reason for moving this token cut. Every one of us here knows perfectly well that this Police Department is the most pampered department of the Government. It swallows nearly half of the total revenue and no other department is so very expensive. The proper justification of such a huge expenditure is based on the assumption that the most important function of the Government, namely, preservation of law and order and protection of the life and property have been entrusted to this department. But in practice we find that instead of doing its proper duties, this department is more anxious in the name of law and order to repress the peaceful and law-abiding people with the object of instilling into their minds an awful dread and unholy fear of this alien bureaucracy.

In other countries, specially in England, the police officers are so very popular and useful, that they command respect and trust of the people. It is respect and mutual trust that engenders a spirit of co-operation and no real efficiency in police working can be obtained if public help and co-operation is not forthcoming.

But the Police Department here has alienated the sympathies of the people by their highhanded conduct and well known "zoolum." Brute force by itself without sympathetic co-operation from the public cannot maintain law and order; and hence there is so much recrudescence of crimes and failure of detection.

Sir, I am going here to narrate an incident which is not uncommon in this province—a story of police violence on some non-violent young men of Barisal on the 27th January last. An exhibition was being held there under the auspices of the District Magistrate and a handful of non-official gentlemen when a batch of young men, in obedience to a resolution of the Students' Association, went to the exhibition gate to persuade men not to take part in it. This annual exhibition affair organised by the District Magistrate in the mufassal towns of this province has been one of the clever moves of the bureaucracy to try to make an unpopular Government somewhat popular. The boys understood this fact and declared a boycott. Some of the young men, ignorant of law, lay down at the gate, and this was the provocation that gave the Barisal police a handle for repression, on a plea of improper obstruction of the traffic they began to beat the boys. They might have arrested those young men and made the way clear for the visitors, but instead of doing that they had recourse to violence and belaboured them with lathis. The Superintendent of Police, Mr. Colson, it is said walked roughshod over the boys

and trampled them under feet. Another European sergeant, Pearson by name, emulated his master's noble example and showed his " British fibre " by asking his dog to come over the bodies of these non-violent young picketers. All honour to the boys who could keep non-violent in the face of gravest provocation.

I put some questions in the last session of the Council in order to ascertain the real situation; but the halting and hesitating nature of the replies removed my suspicion. The Hon'ble Mr. Moberly told us that Mr. Colson made his way through the boys just touching them as lightly as possible. But that light touch of his ammunition boots caused so many bruises and fractures. Let me read out an account of them.

Sir, there is no exaggeration of the report—it rather sins on the side of caution. My leader, Mr. Sen Gupta, was present at the town and I hope he will bear testimony to the brutal conduct of the Barisal police. Every one of the boys was taken to him individually 20 minutes after the occurrence, when their wounds were shown.

We know the police authorities will try to explain away this violence. They will say that the police applied just the amount of force necessary to disperse the crowd, and you will understand the meaning of that phrase " just the amount of force." Surely they applied maximum of force to put down the minimum offence and had it been a bit more, I am afraid, that would have meant loss of lives to so many young men of the town of Barisal.

Sir, the Police Department at Barisal has lost all confidence of the public by their inefficiency and highhanded conduct, by their unnecessary molestation of many innocent people and failure of detecting the real offenders. In the course of a year 1926-27, according to recent Police Administration Report, robbery has increased from 9 cases to 10, burglary from 844 to 1,079, riot from 55 to 78, and murder from 33 to 57. Four murders have been committed in the small town of Barisal of 2½ sq. miles area and the real culprits could not be traced—only the innocent and the law-abiding are being harassed and put to infinite ignominies. Sir, in these circumstances and in view of the above-mentioned facts I beg to recommend this motion for the consideration of the House.

Mr. PRESIDENT: I should like to know if the Hon'ble Mr. Moberly would like to reply to the various motions which come under the head " 26C," in one speech.

The Hon'ble Mr. A. N. MOBERLY: I would prefer to reply in one speech, if sufficient time is given to me.

Mr. PRESIDENT: I think it would save quite a lot of time.

Maulvi TAMIZUDDIN KHAN: Sir, may I make one speech on the next three motions standing in my name?

Mr. PRESIDENT: Yes.

Maulvi TAMIZUDDIN KHAN: Sir, I beg to move the following motions which stand in my name:—

(1) that the demand of Rs. 6,20,000 under the head "26C.—District Executive Force—Police Force—Pay of Inspectors" be reduced by Rs. 100;

(2) that the demand of Rs. 20,10,000 under the head "26C.—District Executive Force—Police Force—Pay of Sub-Inspectors" be reduced by Rs. 100; and

(3) that the demand of Rs. 10,03,000 under the head "26C.—District Executive Force—Pay of Assistant Sub-Inspectors and Head Constables" be reduced by Rs. 100.

Sir, my object is to draw attention to the position of Muslims in the Police service, and the system of recruitment in vogue. Now-a-days we hear a cry in many quarters that Muslims are shown undue favour in the matter of appointment in the public services. The Government also seems to think that it is doing all that is possible. The Muslim grievance on the other hand is that the community is not being given its just and proper share in most of these services. Amidst these opposite views, where does the truth lie? Is the Muslim community getting its just and proper share in any one of the services except in the appointment of certain menials? What with the interested cry of "efficiency of the services," "equal treatment to all," and similar other slogans, the Muslim claim is not being given the recognition it deserves.

So far as the Police service is concerned, the Mussalmans, I think have a very good past record in their favour. They are also educationally up to the mark for being appointed in adequate numbers in this department. Yet we see that they are not only not being given their due share but they are fast losing the ground that they have hitherto occupied. I shall try to show this from the manner in which inspectors, sub-inspectors and assistant sub-inspectors are recruited.

First of all as to the inspectors, they are generally recruited by promotion from the post of sub-inspectors. During the 15 years from the reconstitution of this Province, *i.e.*, from 1913 up to 1927, 285 sub-inspectors were promoted to the rank of inspectors and of these 248 were non-Moslems and only 37 were Muslims, that is, the Muslim representation was only 13 per cent. It may be said that no communal

consideration should come in in the matter of promotion. I would not have complained if such consideration had not come in at all. It certainly comes, but comes through the back door to the detriment of Muhammadans, imperceptible to the Government and to the eye of the public. These promotions are made on the recommendation of inspectors and on an examination of the record of their services kept by the inspectors, the bulk of whom are not supposed to be much in sympathy with their Muslim subordinates. That seems to be the genesis of the disaster to the Muslim community in respect of promotion to sub-inspectorships. I do not much blame the Government that seems to be more or less helpless in this matter. But cannot the Government devise some means for putting things right. The ultimate responsibility must rest with the Government.

Secondly, I shall turn to the recruitment of sub-inspectors. Sub-inspectors are now recruited by direct appointment and promotion from the rank of assistant sub-inspectors in proportion of half and half. Before 1920 the system was different, the sub-inspectors being mostly if not all recruited by direct appointment. The appointment of assistant sub-inspectors was created in 1920. Before 1920 the Muhamadans used to get almost 50 per cent. of these appointments. Since 1920 they have been getting scarcely a third. During the eight years from 1920 to 1927 altogether 139 sub-inspectors were appointed by direct recruitment, and of these 68 were Muhammadans and 71 non-Muhamadans, *i.e.*, almost half and half. But during the same period 192 appointments made by promotion from the rank of assistant sub-inspectors and of these, you will be surprised to hear, only 25 were Muhammadans and 167 non-Muhammadans. That is, during this period more appointments were made by promotion than by direct recruitment, and the total number appointed according to both these methods was 331, of whom 238 were non-Muslims and only 93 were Muslims, *i.e.*, only 28 per cent. were Muslims. This shows that since 1920 the Muslims are fast losing ground in the number of sub-inspectors.

Intimately connected with this question is the third point I want to raise, *viz.*, the recruitment of assistant sub-inspectors and the position of Muslims. In the matter of promotion of assistant sub-inspectors to the rank of sub-inspectors the Muslims are most inadequately represented owing to two reasons—(*i*) want of impartial selection with which I have already dealt while discussing the question of promotion to inspectorships and (*ii*) the number of Muslim assistant sub-inspectors out of whom half the number of sub-inspectors are recruited by promotion is very small. The last is one of the most serious obstacles which prevent the number of Muslims coming up to a decent proportion in the Police service. May I ask the Hon'ble Member-in-charge whether the Government proposes to remove this

unmerited disability. It is too late in the day to say that a sufficient number of adequately qualified Muslims are not available for appointment as assistant sub-inspectors. My community can easily supply all the assistant sub-inspectors that the Government requires. I may cite one local example. At Faridpur last year there was a Muhammadan undergraduate amongst the candidates who received the district nomination for appointment as assistant sub-inspectors. Ultimately the Muhammadan undergraduate was rejected in favour of a non-Muhammadan who I hear was not even a matriculate. I do not make a grievance of this particular example. My point is that a sufficient number of qualified Muslims are available. Will the Government do anything or allow the ranks of Muhammadans in the Police service thin away as they have been doing since 1920?

Babu ROMES CHANDRA BACCHI: Sir, I beg to move that the demand of Rs. 2,80,000 under the head "26C.—District Executive Force—Intelligence staff" be refused.

Sir, those who are aware of the state of affairs in our districts, know fully well that the officers of the District Intelligence staff are mainly employed in checking, or rather destroying, the legitimate political and social activities of the people. All energetic young men of a district are looked upon with suspicion by these officers, upon the reports of whom mainly depend the safety of their future career. It is not unknown to us how many innocent and brilliant lives have been blasted by the attention they have received from these officers. So, we think that it is our duty to refuse this demand.

Maulvi ASIMUDDIN AHAMAD: I beg to move—

(1) that the demand of Rs. 3,30,000 under the head "26C.—District Executive Force—Clothing charges" be reduced by Rs. 1,30,000; and

(2) that the demand of Rs. 1,25,45,000 under the head "26C.—District Executive Force" be reduced by Rs. 1,14,30,800."

He spoke in Bengali, the English translation of which is as follows:—

"Sir, I hope the Hon'ble Member will admit that it is Government's duty to help by all means the poor rural artisans—the poor, helpless women who earn their livelihood by spinning yarn, the poor weavers who do so by selling cloth made by their hands and other unemployed men who as a last resource make their living by weaving khaddar. It may be difficult for Government to give these people monetary help, to arrange for the export of cloth made by them or to buy up their cloth. But Government spend Rs. 5,30,000 annually on the uniform of the police. Instead of buying foreign cloth for the police as they do now they may buy home-made khadi for the same purpose and thereby render substantial help to some of the poor men and women of the

country without incurring any loss to themselves. I think that if Government try to revive the cottage industries of this class in this way, the wants of the people may be removed to some extent. I have mentioned khadi not with a view to any political significance which it may have acquired but simply from the point of view of the benefit that will accrue to our poor spinners and weavers from such purchase of khadi. If khaddar is not liked by Government or by police officials various kinds of khaki cloth made in the different indigenous mills may be used. I wish to know what are the views of the Hon'ble Member on this subject."

Srijut RADHA COBINDA RAY: Sir, I beg to move that the demand of Rs. 1,25,45,000 under the head "26C.—District Executive Force" be reduced by Rs. 25,05,000.

Sir, Bengal, with an area of 71,684 square miles and a population of 45,614,442 people, has a police force comprising of 45 superintendents, 52 assistant superintendents, 28 deputy superintendents, 258 inspectors, 1,851 sub-inspectors, 50 sergeants, 2,634 foot and water head-constables, and 19,711 foot and water constables. Over and above these, there are 78,980 dafadars and chaukidars, maintained at a cost of Rs. 57,01,894-3-9. This district force is maintained at a cost of Rs. 1,43,14,897. The number of urban population for which the district police force is primarily maintained is 2,278,449. Now, Sir, the Inspector-General of Police in his Report on the Police Administration of the Presidency of Bengal has remarked: ".....that there has been a steady improvement in the discipline and conduct of the force." One is really glad to read this remark, but, Sir, we find in the Report that the number of reported cognizable crimes was 91,498 in the year 1927, as opposed to 88,978 in the year 1926. The number of "true" cases of serious crime is 44,309 in the year 1927, as opposed to 41,883 in the year 1926. Mark the increase. Improvement no doubt?

In the Inspector-General's Report—Statement A—"Return of cognizable crimes for the year 1927," we find that in class I, offences against the State, viz., public tranquillity, safety and justice, out of 2,252 cases, 611 cases were convicted, while 524 cases were pending at the end of the year. In class III, serious offences against person and property or against property only, we find that out of 23,968 cases, in only 1,502 cases were there convictions, and 1,534 cases were pending at the end of the year. Mark the difference! In cognizable cases concerning offences against the State, the proportion of cases in which there were convictions to the investigated cases is 1/3, in already tried cases. When the trial of the pending cases is finished, it will be probably 1/2. In the case of offences against the person and property of the people, we find that the proportion of cases in which there has been convictions is only 1/16.

3-30 p.m.

In statement B of the Report, *viz.*, " Return of non-cognizable crimes for the year 1927," which relates to class I, offences against the State and public tranquillity, we find that out of a total of 6,153 cases, there were convictions in 3,434 cases, while 627 cases remained pending at the end of the year. In the case of non-cognizable cases we find that the proportion of conviction in cases of offence against the State is already 50 per cent. When we take in account the trial of the cases still pending the proportion will rise to 70 per cent. Whereas in non-cognizable cases in which the people are concerned, there had been conviction to the proportion of only 1/43. It will be 1/50 when the trial of pending cases will be finished. From these facts it will be evident to the members of this Council that in cases of offences against the State the vigilance and efficiency of the police is primarily focussed. In cases of offences against the person and property of the people their vigilance is greatly loosened. They advantageously forget that it is the people who bear the burden of taxation. Sir, the vigilance of the Police Department is shown in bright colours in their activities to recover stolen property. We find in the report that the Bengal Police had the efficiency to recover only Rs. 3,69,218-13-10 worth of property out of Rs. 40,13,375 worth of property stolen. Efficiency indeed!

Sir, comparing the figures of the year 1926 with the year 1927 we find that in every case of crime there is increase in the year 1927. Here are the figures:—

		1926.	1927.
Rioting	...	1,277	1,289
Murder	...	482	524
Culpable homicide	...	244	254
Administering of stupefying drugs	...	29	38
Dacoity	...	630	766
Robbery	...	399	398
House-breaking	...	29,974	31,070
Theft—ordinary	...	21,834	22,465
Theft—cattle	...	627	806

Excepting in the case of robbery—where we find only one case less in 1927—we find there is a rise in every case of crime in the year 1927 over the figures in 1926.

The official heads of the Government may be too much pleased with the excellent work and administration of the department and may

recommend them for rewarding, but the members are to judge from actual figures whether the police force is to be praised or blamed. On page 24, section 31 of the Inspector-General's Report we find the remarks that the increase of crime was generally attributed to the unfavourable economic conditions consequent upon the partial failure of crops. In page 41 the Inspector-General remarks: "It is unfortunate that owing to the continued necessity for restricting expenditure several important schemes had again to be postponed to the detriment of efficiency of the Police Department." The need for efficiency of the Police Department I do thoroughly recognise but the granting of more money I strongly deprecate. In view of the urgent needs of the people I advocate curtailment of expenditure without impairing the efficiency of the force and I am emphatically of opinion that this my apparently incongruous suggestion is a practical proposition.

Now, Sir, efficiency is a very flexible word. It bears different significance according to the difference of ideal and outlook. The efficiency of police according to the bureaucratic ideal of administration in vogue in our country is the capacity of the police to overawe the people. To make the department efficient in that sense the increase of the number of force and the consequent increase of the expenditure is of imperative necessity. But we have a different and true idea of efficiency and, judging from that idea, I must say that police is sadly wanting in efficiency. Detection of crime and keeping of law and order with the help and co-operation of the people is our ideal of police work and activities. The present police of Bengal is sadly lacking in that ideal and with this ideal in view I have proposed a cut of Rs. 25,05,000 and I am confident that even with this reduction in expenditure and consequent reduction in the number of active force the department can be very efficiently administered.

Sir, the active co-operation of the police with the people are seldom found now-a-days in Bengal. The work of village defence force have been fully appreciated but they are not faithfully encouraged and fostered; why this is so? The blame thrown upon the people by the Government officials cannot be true. No one can ever conceive that the people, the saving and guarding of whose person and property are the chief pre-occupation of the police, are unwilling to co-operate with them. Psychologically this is untrue. Yet it is a fact that the people of Bengal generally avoid the police officers. The reason lies elsewhere. Neither the people nor the police officers are to be blamed for this want of healthy and beneficial co-operation. The ideal of the present Government does not allow that. I do affirm that the interests of the rulers and the ruled are not identical here. The principle and policy of the bureaucratic administration are not consistent with the ideal of the people's progress and happiness. The present budget is perhaps

the greatest document in support of my statement. The activities of the police are greatly directed towards the checking of national activities of our people. The co-operation of the people with such police force there cannot be. I say there cannot and will not be any real co-operation so long as the ideal and outlook of the Government remains what it is now. The administration of Bengal, as it is at present constituted, is practically a police administration. The irresponsible executive is armed with a strong police in order to have their will enforced upon the people and the contented executive and contented police are the watchwords of the present administration.

Sir, the retrenchment of expenditure would have been easy and practicable, had the ideal of responsible Government, preached by our rulers to be the goal of our national aspirations, been sincerely and faithfully accepted by our bureaucratic masters. The line of policy suggested by Sj. Naliniranjan Sarker in his speech in the year 1927 in the floor of this Council would have greatly helped to reduce the expenditure on police if it was accepted by the Government. With great pessimism I make a few suggestions and I ask the Government to consider them if it can. The Bengal Government should move the Imperial Government to remove the Arms Act. Physical culture societies should be encouraged, fostered and subsidised by the Government. There should be such societies in every village. Arrangements of military training and discipline should be made in every school and college. Defence parties should be organised in every town and village. Volunteer organisations instead of being looked upon with distrust and suspicion should be encouraged.

Had the ideal of administration been consistent without national aspirations such suggestions would have been gladly accepted. The police force would have been greatly supplemented by these healthy private organisations and the expenditure curtailed to a legitimate limit. But no such suggestions are to be accepted. The ideal of responsible government preached by our rulers is a great diplomatic bluff. It was goaded by the exigencies of the political situation created by the greatest of the world wars in which our rulers were fortunately or unfortunately involved. The bureaucracy will go on increasing police force for checking our national aspirations. The budding civic and national consciousness of our young men will be crippled. It smells and will smell danger in healthy social and national organisations.

It will go on increasing police force, ignoring our protests, ignoring the wailings and lamentations of the poor people. But I must warn it and affirm that unless our suggestions are accepted the bureaucracy will have to face a terrible situation which we all dread. With these words I beg to commend my motion.

The following motions were called but not moved:—

Babu AKHIL CHANDRA DATTA: "That the demand of Rs. 1,25,45,000 under the head '26C.—District Executive Force' be reduced by Rs. 13,92,413 (the amount in excess over the actuals of 1927-28)."

Babu BEJOY KRISHNA BOSE: "That the demand of Rs. 1,25,45,000 under the head '26C.—District Executive Force—Detailed account' be reduced by Rs. 10,00,000."

Babu NALINIRANJAN SARKER: I beg to move that the demand of Rs. 1,25,45,000 under the head "26C—District Executive Force" be reduced by Rs. 2,45,000.

I have on more than one occasion spoken about the extravagance of this department and clearly demonstrated that there is much room for curtailment in expenditure. What I want is to criticise the general policy of the administration of Police Department. I am quite conscious, Sir, that our task of speaking on these motions has become increasingly difficult; for criticism in this House of whatever kind has been invariably viewed by the present authorities as hostility, and consistently represented by them to be a mark of irresponsibility, so much so that it has been put forward as a reason for depriving this House of every vestige of proper authority. I, therefore, find it necessary to start with stating that my attitude is not one of hostility to the police as such. Even in the most thorough-going form of Swarajist government we do not mean to do away with the police altogether but to maintain that force only for the performance of its legitimate function, with higher standards of integrity and efficiency, and at a less expenditure. But because we require the maintenance of an efficient police force, that can never mean that we are to regard the existing conditions or standards of efficiency as sacrosanct. Nor does it mean that we should worship the present system and procedure as being manned and conducted by a class of supermen, or even as the best we can have, under present conditions. Times without number I have discussed the question of manning the police force with suitable Indians and reluctant as I am to drag in the question again, I feel that the House should be reminded on every suitable occasion that, though the actual work of police administration has necessarily to be done by Indians, they have been kept more or less completely out of the higher ranks. The highest superintending post in the police of the province is occupied by the Inspector-General, who is a European, and must be so, under the system. An Indian may be a Commissioner of a Division, a Member of the Executive Council and even hold the Police portfolio, he may even be a Governor, but he can never be the Inspector-General of

Police. His six lieutenants, the six Deputy-Inspectors-General of Police, must also be Europeans. This oligarchy of seven rule the entire province, dictate the policy not only of the police but that of the whole administration, and its powers are so great and its so-called recommendations so incontrovertible that even a Governor of a province has no escape from its dictation. The organisation for the perpetuation of this system is admirable, since the helpers of this oligarchy who carry out the policy and orders emanating from it, are also mostly Europeans and therefore like Cæsar's wife above any suspicion of untrustworthiness. The statistics are somewhat illuminating: Out of 45 superintendents 39 are Europeans, 32 out of 46 assistant superintendents are so, while two out of eight deputy superintendents are of the same nationality. Now what are the administrative needs that make it imperative that such a large number of officers for superintendence should be required and moreover should be Europeans? The main work is investigation and I do not know that in matters of actual investigation the European officer has any advantage over his Indian subordinate or colleague except, perhaps, that of the support of a Government of his own race and its brute force.

3-45 p.m.

The Indian officer has actually to bear the brunt of the work, while the salary he is paid is a fraction of what the European officer receives and the status he enjoys is far inferior. What conceivable ground or reason is there that the European should receive more and the Indian less? Is it because he belongs to the ruling caste? I know that Indian officers who join the Police service can boast of at least as good a heredity and often have more respectable connections, better social status than those who sail out to India with a liberal pay such as they could never have dreamt of commanding at home or even in the colonies. Is it education? That has never been the strong point of these recruits from abroad, while the Indian officers, even of the rank of sub-inspectors are in most cases equipped with a University degree. And yet this system has gone on. Even paltry increases recommended by the department have been turned down by Government which only at such times becomes suddenly alive to the financial position. The Inspector-General himself admits it in his evidence before the Simon Commission. But when it is a question of increasing the emoluments of the European officers neither financial stringency nor flood nor famines are allowed to stand in the way.

Members on this side of the House would fail in their duty if they did not expose this waton disregard of public feeling, not to speak of the inequitous, almost criminal waste of money that this Government perpetrates in the name of so-called efficiency, but really for the purpose of providing for the unemployed ne'er-do-wells of

England to the exclusion of the legitimate aspirations and qualities of the Indians. This exposure, Sir, is perhaps the reason which in that case is intelligible enough, for the misrepresentation of our attitude as one of indiscriminate hostility to the police. Sir, the point I am driving at is that whether it be the constitution, the personnel or the grant of emoluments to these superintendents none of these are guided by the two principles of *bona fide* administration, *viz.*, efficiency and economy but with the sole motive of continuing the police administration in the interests of an alien Government. To criticise these two principles, that of retaining the police as a limb of the bureaucracy, and to that end of maintaining Europeans mainly in the ranks of superintendents, while allowing them the most uneconomic scales of pay and allowances and pampering them in every way—to criticise all this, I say is not to evince an attitude of unreasoning hostility but merely to discharge the elementary duty of a citizen and a paramount one of his representatives. It is for us to make clear what is necessary in order to eliminate the evils I have spoken of. The Inspector-General and, I may incidentally mention, his ally the Commissioner of Police, are quite positive in their declaration before the Simon Commission that deterioration would set in if law and order were entrusted to a popular minister, and that in the present circumstances the suggestion of transferring police to such a minister would be impossible. I ask, Sir, can the duties of the police be better discharged because a number of aliens swanking about in elegant uniform with toy swords at their sides are made independent of the authority of the Legislature? The success of the police administration depends pre-eminently on the co-operation between the police and the people which in turn depends on the confidence of the people in the police administration. Now it is a self-evident proposition, as a retired I.C.S. official himself has said, that "Indian ministers and officials should be able to enlist some popular support for the police where the British have so signally failed. A small measure of such support would go far to counterbalance any deterioration in police discipline or technical efficiency." Instead of trying to see the truth of these principles, the representatives of the Police Department have tried to make out a case against the transfer of law and order to a popular minister. Need I say, Sir, that they have signally failed to convince anybody by that attempt? The three propositions laid down, we understand, for the non-transference of police to the control of a minister are these: first, that it will lead to intrigues in the force with the consequent undermining of discipline in respect of appointments, promotions, transfers and punishment. Secondly, that it will militate against impartiality being shown in cases of communal disturbances. Thirdly, that the general want of proper sense of responsibility in dealing with police demands in this Council will be

accentuated. The British officer's fame for impartiality has been so much trumpeted about that we have become a bit too familiar with that tune. I admit, Sir, that the British officer displays no special liking for any side when he proceeds to set the two communities by the ear, or seeks to stabilise them both in their present state of war. After having gone out of their way to encourage communal aspiration and thereby necessarily brought about communal troubles in India it ill becomes the Britisher to complain that communal quarrels render it difficult to transfer law and order to the hands of a responsible minister. Has it been possible for the Inspector-General or Sir Charles Tegart to make out even one or two instances where individual Indian officers of the Police Department have been swayed by communal sympathies or antipathies or where they have allowed themselves to be influenced by intrigues? There have been no such instances in the administration and it is most unfair to cast such aspersions on the integrity of the Indian administration of the department by a minister without having even supposed grounds to go by. Not only is there no such evidence, but, may I ask these champions of the British members in the police force, to deny that they emphatically admitted in their evidence before the Simon Commission that not only were the Indian officers possessed of education and culture but even the rank and file have been extraordinarily loyal in all these troubles and have shown no communal feeling in dealing with them. Is it a small thing to have had constables doing, from a sense of duty, things which, as they have admitted before the Commission, must be highly repugnant to them (constables), such as Muhammadan constables escorting Hindu processions playing music in front of mosques and Brahmin constables escorting cows to be sacrificed, but has there ever been an example of failure to do their duty on either side?

And assuming, Sir, that communal outbursts might occur occasionally, is it right first to assume their permanency and then to perpetuate thereon an inequitous system of alien recruitment and deny the legitimate demand for bringing the administration under popular control. As regards the possibility of intrigues is there any justification for picking out the police as a special breeding ground for them? How is popular control at all thought feasible for any department, where none can be free from at least equal reason for such suspicion? Moreover, are not appointments, transfers, promotions and punishment dealt with by departmental officials? Is it possible to improve upon the intrigues existing to-day when officials, other than ministers, hold out threats to members that unless they voted in a particular way their relations would not be given Government service? May I ask Mr. Moberly whether he can deny the existence of such intrigues, and that they are resorted to often in

order to defeat the popular will and bring all kinds of pressure to bear upon the subservient section to assist the Government in so doing. Intrigues, I maintain, are the monopoly of an alien Government working in opposition to the will of the people. That they are sure to vanish with the advent of popular government needs no proof since the world's history everywhere is open to us all, not excluding that of England itself.

To take up the next point of the irresponsibility of this Council, I affirm it is our duty to go on insisting that this superintending staff, its personnel, its conditions of service, its control, in fact, everything pertaining to it should be brought more and more into line with the wishes of this House.

In the case of the police, the authorities would seem to contend at the same time in desperate defiance of consistency that they are popular in the country, worshipped as white-robed angles by the people, and approached on bended knees for help and protection of every kind, and yet that the Council alone regards them with hostility, refuses just demands for them and curtails their emoluments and comforts. Such palpable inconsistency cannot arise except because of the initial distortion of truth. And when this view was put before the conference of the Simon Commission and the Provincial Committee, Mr. Fazl-ul Huq gave the matter in its true colouring. The Council was hostile to the police because it was a limb of the bureaucracy, because it entailed a disporportionate, nay, even a lion's share of the public expenditure and that the Council felt it was its duty to bring down the expenditure and compel the police to be more amenable to the people's wishes, rights and liberties. Every proposal for additional grant was such that even the little margin between revenue and expenditure would be blotted out, if it was passed, and this was the main reason why the Council had to throw out the demand which was made last year.

The question which I have raised has another significance. The European commercial classes for whose prosperity and progress internal peace is a *sine qua non*, may have the emphatic assurance of this side of the House that unless there is popular control of the police the latter cannot command the confidence which alone can ensure peace in the country. With such peace alone can we hope for the stable conditions which trade and commerce demand. This is realised by us no less clearly than it is by European business men, so that they need have no apprehension that even with the most absolute power in our hands, there would be no desire on our part to bring about conditions subversive of the best economic interests of the country.

The following motions were called but not moved:—

Babu MANMATHA NATH ROY: "That the demand of Rs. 1,25,45,000 under the head '26C.—District Executive Force' be reduced by Rs. 100 (to discuss the policy in connection with the recent orders in the mufassal prohibiting meetings and processions for boycott of British goods)."

Rai SATYENDRA NATH ROY CHOUDHURI Bahadur: "That the demand of Rs. 1,25,45,000 for District Police under the head '26C.—District Executive Force' be reduced by Re. 1 (to discuss the defect in the present system for the detection of crimes and suggest its re-organisation)."

Maulvi SYED MUHAMMAD AFZAL: Sir, I rise to oppose the motion moved by my hon'ble friend Babu Saral Kumar Dutt. I witnessed what took place at Barisal at the time of the exhibition. I am extremely sorry to say that some volunteers assembled near the gate and blocked the gate altogether, obstructing the intending visitors from entering into the exhibition.

Some gentlemen, who contributed towards the exhibition fund or purchased tickets to visit it and attempted to enter the gate of the exhibition, were treated by the volunteers in a most objectionable manner. The volunteers asked them to boycott the exhibition, and some of the volunteers insulted those who would not hear their commands. But instead of taking drastic measures as the occasion demanded, the police first tried to disperse the volunteers by peaceful persuasion, but the volunteers did not hear them, rather went on forcibly preventing persons from entering into the exhibition.

I would have gladly supported the motion of my hon'ble friend, had he brought a censure motion on the police for not taking serious steps in preventing this sort of anarchism and rowdyism. I am a member of the District Board of Bakarganj and I know that a large sum was contributed to the exhibition fund by the District Board on the unanimous resolution of the members of the Board. The officers of the District Board took an active part in the organisation and management of the exhibition, under the order of the District Board. I do not like to enter into further details because that may be unpleasant to many of my friends. But I appeal to the Congress volunteers in the interests of the country to cling to the principle of non-violence and proceed with their work. With these few words I oppose the motion.

4 p.m.

Maulvi KHORSHED ALAM CHOUDHURY: Sir, when I entered this House this afternoon I had no intention whatsoever of identifying myself with either on behalf of the budget proposals or on

behalf of motions for reduction and refusal by any clear utterance. But circumstances have changed after what I have heard from my friend Babu Saral Kumar Dutt. Any cut in the demand under heading "Police" is interesting and likely to get unexpected support. But I surely do like that a token cut should not be made the venue of giving expressions to unjustifiable malicious and misleading statements. I represent the same district as Mr. Saral Kumar Dutt and have every reason to have as much knowledge of local affairs as the hon'ble mover of the motion No. 475 provided that I keep my eyes open. I suppose, Sir, you will surely agree that I am not blind.

What I understand from Mr. Dutt's speech leads me to think that the action of the police was high-handed and unjustifiable and ought not to go unchallenged; but Mr. Dutt's picture of affairs is not all true. The Barisal exhibition held recently was in reply to public demand and was entirely a public organisation in which officers of the district took part to facilitate matters for the public. The mere fact of the members of the local so-called bureaucracy having taken part in an innocent demonstration from which nothing but good can accrue and whose relative importance in our industrial and social developments is amply testified by the Congress even holding a similar exhibition, should not blind us from looking things at their true perspective. The District Board of Bakarganj granted unanimously Rs. 2,500 for helping the Exhibition Committee and I am sure there were Swarajist members in the District Board also. Did they dissent? If they have not, my friend Mr. Dutt, a prominent member of the Swaraj party, is exposing a gross inconsistency in the creed of his party or else, he and those Swarajist members also not only passed over the holding of the exhibition, rather they have actually supported it. In fact prominent Congressmen of the district participated in the holding of the exhibition by sending their boys as volunteers and by taking active part in its management. In fact the Assistant Secretary of the exhibition is a very prominent Congressman of the district. I am therefore surprised how Congress people had any reason later on to raise a hue and cry against what is the result of their own efforts.

Sir, in this connection I wish clearly to state in this House emphatically protesting thereby against recent happenings in Barisal. A group of young men have been fanned up to take to terrorism to coerce their reckless views. It is alleged that a Sub-inspector of Police has been brutally murdered the other day for seemingly taking part in keeping law and order in the exhibition. Law and order has been sufficiently ridiculed in this House, but I am sure that whatever that might be a policeman is bound to see that no mishap takes place within his cognizance. On the day that the alleged high-handed action of the police took place it was a serious situation in Barisal.

A group of young men, inspired by whose principles I do not know, roused in their sentimentality were reckless enough to break the simple course of law in obstructing people from going to the exhibition; Muhammadan gentlemen and ladies were badly handled and the mob there that gradually formed up were far from inoffensive and non-violent. It seemed that a Hindu-Muslim tension was imminent and the police had for all reasons to take active steps to see that nothing of the kind happened. In discharging what were surely their duty the police has not committed any wrong whatsoever for which they may so seriously be condemned this afternoon. In fact, Sir, I greatly regret that some people are behind these young sentimental minds hardly realising where they are taking them to. My friend Mr. Dutt has identified himself to-day with these brainless young men whose conduct has no justification whatsoever for taking the law in their own hands and I regret that an hon'ble member of this House could go so far. Standing on the floor of this House I ask Mr. Dutt as a true Congressman what would he have done if anyone obstructed him from going to the Congress exhibition in December last. Would he have submitted to the tyranny of others or tried to be ruled by his own brain? If the answer is that he would not submit to the tyranny of others the position of the Barisal exhibition is clearly enunciated, in as much as some people were on their free will going to see the exhibition and there were some who spared no bit of rowdyism to obstruct them to go into it and if the police have helped those innocent visitors to exercise their own will I see no reason why they can ever be condemned.

Sir, I emphatically say again, for once at least if not on other occasions, on this particular day on which the police is accused of having committed high-handedness at Barisal they were surely most innocent and were discharging their duties faithfully and I have every pleasure to oppose the motion of Mr. Saral Kumar Dutt.

Babu SARAL KUMAR DUTT: On a point of personal explanation. The hon'ble member on the other side has made some aspersions on me and on the Congress party to which I belong who in these exhibition affairs———

Mr. PRESIDENT: What has he said against you personally?

Babu SARAL KUMAR DUTT: He said that Mr. Dutt had supported the holding of the exhibition as well as the other political leaders. My explanation is that the Congress Committee had no hand in these exhibition affairs and the issue raised by Mr. Choudhury has already been discussed by me. I said that while the volunteers

obstructed the visitors to the exhibition they instead of being mercilessly beaten might have been arrested and the way made clear for the visitors to the exhibition.

Mr. PRESIDENT: Order, order.

Babu SURENDRA NATH BISWAS: Sir, I think almost all the Indians to-day have the same complaint that the police often go to excess when they deal with Indians. They are more to break the peace than to keep it. In the name of law and order they have been reported to have gone to the length of murdering men and of committing most culpable and heinous crimes. As an example to the point I can cite the incident that happened at Char Manair five or six years ago in my district. There a police sub-inspector———

Mr. PRESIDENT: Mr. Biswas, it is necessary that you should let me know on which of the motions you are speaking.

Babu SURENDRA NATH BISWAS: I am speaking on the general policy of the District Executive Force—how the District Executive Force behave themselves. One sub-inspector of police was found in a private house at dead of night in the village of Char Manair and the people of the locality arrested him on the suspicion that he was helping the commitment of a dacoity. In the morning somebody informed the police of the neighbouring thanas and a posse of constables about 200 or 300 in number came into the village presumably under the orders and leadership of the District Executive Officers within two or three days. The male population of the village left the village in fear of molestation. Then in the name of law and order those police constables raided the village, ravished many women and murdered one man, named Gaizaddi. Enquiries were started both by Government and the Congress party. The Congress party found that many women were criminally assaulted and that the said Gaizaddi was mercilessly beaten to death. But the result of Government enquiry was as usual otherwise. The Congress workers however agitated against the outrageous acts of the police on public platforms———

Mr. PRESIDENT: Mr. Biswas, I perhaps surprise no one in this House including yourself when I say that I am quite at a loss to make out as to what you are driving at. If you want to discuss generally the policy that lies behind the District Executive Force, you should speak either on 482 or 485.

Babu SURENDRA NATH BISWAS: I will speak on motion No. 487.

Mr. PRESIDENT: But No. 487 was not moved.

Babu SURENDRA NATH BISWAS: I want to discuss the general policy—specially the policy of utilising the service of the District Executive Force. I am not going to accuse any person individually but my complaint is against the policy of Government in handling the police officers and utilising———

Mr. PRESIDENT: First of all you have to remember that we are discussing matters which come under the head "26C" and then you have to remember that there are before the House some specific motions beyond which we cannot go. If you remember these, I am sure you will be able to confine your remarks to that particular head of the budget and also to the specific motions under review you may speak either on 482 or 485.

Babu SURENDRA NATH BISWAS: Then I will speak on 485. Let me say a few words more to complete that incident. Grave accusations were made against the police but Government took no action against them. They were given the usual protection. On the other hand a Congress worker named Protap Chandra Guha Roy who first disclosed the incident to the public was arrested and put under trial. And after a protracted trial the case was withdrawn. The guilty police went unpunished but the man who exposed the guilt was punished. Such a thing is possible only under an alien Government which has to rule by force. The members who are in charge of the police administration may, however, not be responsible for a particular action or inaction of the subordinate policemen but they are undoubtedly responsible for working out the policy of Government which is to keep us in subjugation by force. It is a pity that men like the Hon'ble Mr. Moberly and his comrades in administration work out such a policy—the policy of oppression and repression in the name of law and order. They are personally men of amiable character and perfect gentlemen and anyone who makes their acquaintance will testify to that. Therefore the fact that these gentlemen being at the helm of the administration allow such things to happen shews that they are slaves to the policy. We are certainly slaves of the present system of Government but these Government officials are greater slaves. We are forced slaves, while the officials are voluntary slaves. They deliberately work out a policy which they know is bad. And the District Executive Police officers are utilised to work out the policy.

My friend Babu Saral Kumar Dutt has narrated an incident at Barisal accusing the District Executive Force of unjustifiable conduct

and indecent behaviour towards some young men. I shall add another instance which so lately occurred at Madaripur to show how the Executive Officers behave.

The Hon'ble Mr. A. N. MOBERLY: Sir, this case is still *sub judice*.

Babu SURENDRA NATH BISWAS: I do not know whether that case is *sub judice* or not.

Mr. PRESIDENT: If it is *sub judice* you cannot discuss it.

Babu SURENDRA NATH BISWAS: All right, Sir. My object in so far as the point of order is concerned I submit that one Mr. Hollman, the Assistant Superintendent of Police of Madaripur, is charged with having assaulted some students while they were carrying the image of goddess Saraswati in a procession and that an application has been submitted to Government for sanction to prosecute him.

Mr. PRESIDENT: If you are not sure that the case is not *sub judice* you should not refer to that at all.

Babu SURENDRA NATH BISWAS: I bow to your ruling, but discussing this portion of the budget is to draw the attention of the House as to how the high-handed acts of the district Executive Officers are dealt with. It is a pity that the happenings in mufassal come to the knowledge of the Hon'ble Member-in-charge through reports made by the police themselves. Public reports are not paid any attention to. Sir, it is a matter of regret that even we, the members of this Council who get first-hand information on the spot are not believed or our statements are deliberately treated with indifference. Even where no policy is involved the members in charge of administration act on the information furnished to them by their subordinate officers which, I boldly say, is not always correct. It is therefore that the police administration is failing in this province.

Sir, the cry of the people is that the present policy behind the police administration in this country ought to be changed, and the sooner it is done the better for the Government. The greater the delay in changing that policy, the shorter will be the life of British rule in this country.

[At 4-15 p.m. the Council was adjourned for prayer and it reassembled at 4-30 p.m.]

Babu JOGINDRA CHANDRA CHAKRAVARTI: Mr. President, Sir, I desire to offer just a few remarks on the motion moved by Babu Saral Kumar Dutt, and to probe specially into the causes of this want of confidence in the police. The question that he has raised has been debated in this House, and two members on the other side have opposed the motion. From what I have heard, Sir, regarding the exhibition affairs at Barisal, it seems to me that there were two parties over the question as to whether the exhibition should be boycotted or not. As, in fact, it happens in most cases where there is a difference of opinion, in this case also there were two parties holding different views as to whether the exhibition, which was held at the instance of Government, should be supported by the public or not. That, however, is not the question which we need consider now. The question raised in this motion of Babu Saral Kumar Dutt is a very simple one. Babu Saral Kumar Dutt has raised the question whether the action of the police in connection with the exhibition was justified, having regard to the fact that the Superintendent of Police actually trampled over the bodies of a certain number of young men who were lying in front of the exhibition gate. So far as I remember, Sir—I am speaking from memory—the Hon'ble Member in charge of the Police Department said in reply to a question put some days ago by Babu Saral Kumar Dutt that the Superintendent of Police had passed lightly over those young men in front of the exhibition gate. The question was whether he had trampled over their bodies, and the reply was that he had passed lightly———

The Hon'ble Mr. A. N. MOBERLY: I said " as lightly as possible."

Babu JOGINDRA CHANDRA CHAKRAVARTI: Sir, I really fail to understand the difference between " passed as lightly as possible " and " trampled " over their bodies. I do not know what " passed as lightly as possible " really means if it does not mean " trampled." Then, Sir, we have heard from Babu Saral Kumar Dutt that that was not the whole of it; those young men were freely assaulted with lathis and police batons, and that they received bruises, cuts and abrasions. The whole question raised here to-day is this: not whether the boycott of the exhibition was justified or not, but whether the policy that was followed by the police authorities in making a way to the exhibition, and which was considered to be justified by Government, is a policy which we should endorse in this House. That is the only reason for raising this question, and whatever difference of opinion might have been in Barisal at the time regarding the justifiability or otherwise of holding the exhibition, I submit that these are not the questions which we are asked to discuss now, but only the question whether the action of the police was justified. Sir, recent happenings very well

show—and we have had experience of that for some time past—that in the administration of law and order the police authorities are gradually substituting the rule of law by the rule of lathis and boots. The whole question before the House is whether we are going to endorse this policy of the police in administering law and order or, whether we are going to condemn it. We should narrow down the issues to this, and I have no doubt that every member here will condemn the action of the police in the interests of law and order itself.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, personally, I had no desire to take part in this debate, but I have been tempted to draw the attention of my friend Babu Jogindra Chandra Chakravarti to the fact that in this affair, as in every other, there is also another side of the case. I think there cannot be any two opinions as to whether anyone should want the substitution of the rule of lathi and boot for the rule of law and order. At the same time, my friend must realise that on occasions it becomes extremely difficult for those responsible for the maintenance of law and order "on the spot" to preserve peace, especially in view of the attitude taken up by some people. Let me give a theoretical illustration to my friend. I am not entering into the facts of the case cited by Babu Saral Kumar Dutt, because I do not know them; I come from another district, and so it is very difficult for me to take an effective part in the discussion now before the House. Suppose, a certain number of young men take upon themselves the responsibility of obstructing people from entering into a certain public place. What should be the duty of the police? I admit that that public place may be thoroughly bad and not worthy of a visit from the public, though, all the same, you cannot deny people who choose to enter the place the right to do so. I would request my friend to visualise the days when the non-co-operation movement was in full swing. I remember that a number of students and young men laid themselves flat at the entrance to the Senate House and the Darbhanga Buildings in order that people might not enter them for the purpose of sitting at the examinations. What were the alternatives to these examinees? They had either to abstain from sitting at the examinations, or to walk over the obstructionists. What would be the duty of those responsible for law and order under such circumstances? Would it not be for them to remove the obstruction? Personally, I think that most of these unfortunate events are due to the fact that we in this House have not been able to bring real influence to bear upon the Government of the country. So far as the elected representatives in this House are concerned, I think that the blame rests solely on the party to which my friend belongs.

Sir, my friend has raised, by implication, the question of what would have happened if the ministers had taken over the responsibility

for law and order. I think that no harm would have come out of it, though I am for a little caution as regards the pace at which we are going. I would welcome provincial autonomy, but we should be careful about the pace at which we want to reach that goal. I cannot give a concrete case, and so I shall give a theoretical example, though I may add that the facts of this case are more or less true. Suppose that a certain minister—I will not say whether he is a Hindu or a Muhammadan—shortly after he took office had to do something with certain nominations sent in by a District Magistrate to his department. What would you think of it if, as soon as some representatives of the community to which the minister belonged, informed him that that particular District Magistrate had done some wrong to his community, the minister attempted to get the nominations of the District Magistrate thrown out? I only cite this case in order to show that the complaints of my Swarajist friends against the police come with ill grace, inasmuch as they are not prepared to accept the responsibility of office. I should like to hear of such complaints from them, as we have heard to-day, when they accept the responsibilities of office. I submit, Sir, that so long as they are not prepared to do this, their complaints are not fair

Only the other day, Sir, we had some dirty disclosures made on the floor of this House. In view of these disclosures, many have come to the conclusion that we should be a little bit cautious in our efforts to accelerate the speed of our march towards Swaraj. Personally, I think that the district executive could not do anything else under such difficult circumstances as they had in Barisal. There have been communal riots all over the country, but so far as the district executive is concerned, I do say that their actions in these riots have not been influenced by considerations for one community or other; they have always tried to be impartial and hold the balance even.

With these few words, Sir, I oppose the motion which has been moved by Babu Saral Kumar Dutt regarding the head "26C—District Executive Force."

The Hon'ble Mr. A. N. MOBERLY: Sir, I will deal first with Babu Saral Kumar Dutt. I was surprised that he should have had the temerity to move this motion, when he knew that two members of this Council, who had been present at the Barisal exhibition, were present in this Council to-day. However, Sir, he has moved his motion, and he has had his reply from those two gentlemen.

We have been told that the exhibition was held at the instance of Government, and that it was got up by the District Magistrate.

(Cries of "No, no.")

I challenge Babu Saral Kumar Dutt to deny that———

Babu SARAL KUMAR DUTT: On a point of personal explanation, Sir. The Hon'ble Mr. Moberly says that I have said in the course of my speech that this exhibition was organised by the District Magistrate. I challenge that statement of his. I said in my speech that this exhibition was organised by the District Magistrate as well as some non-official gentlemen.

[At 4-45 p.m. the Hon'ble the President left the Chamber, and Mr. W. L. Travers took the Chair.]

The Hon'ble Mr. A. N. MOBERLY: Babu Saral Kumar Dutt denied my challenge before I made it. Can he deny that certain influential Congress leaders—the most respected Congress leaders in Barisal—were intimately and closely connected with the organisation of this exhibition? The District Board, as has been mentioned, subscribed a sum of Rs. 2,500 towards it. The exhibition is an annual function, and the District Magistrate had ascertained and satisfied himself before he accorded his approval to the proposal that the large majority of the people of Barisal wanted it. The exhibition is held annually and a large number of people are attracted from the district. Why then did Babu Saral Kumar Dutt and a handful of young school boys presume to interfere with the innocent amusement of a large number of people in Barisal and the surrounding country? Who were they to do these things? What right had they?

Babu SARAL KUMAR DUTT: On a point of personal explanation. I did not lead these young boys there. I went there to see whether they were obstructing the way. I did not join the boys nor did I take part in the anti-exhibition demonstration. It was after the police zulum that the Congress declared boycott as a protest against that zulum.

The Hon'ble Mr. A. N. MOBERLY: I am glad Babu Saral Kumar Dutt admits that he did later on bring out these gangs of hooligans who, as soon as they were there, began obstructing people, assaulting ladies in their carriages, spitting upon them and making disgusting remarks which I would not repeat in this House in connection with giant "kachus" and large sugar canes. However, let us pass from this. I would ask whether it is Babu Saral Kumar Dutt's idea of liberty that a small gang of undisciplined youths should interfere with the innocent amusement of half the countryside. What happened on the 27th? As has been admitted, it had been decided that these people should be obstructed—people who wished to visit the exhibition. The Superintendent of Police heard a gang of young men rushing down the

road and shouting and sent a man to find out what they were going to do. He was told that they were at the main gate of the exhibition and he went there in order to see if any mischief was being done He found them lying down on the road and at the gate. He asked them to get up and let him go inside but they refused. He wanted to find out what was going on inside the exhibition and he had to go there. As the boys did not move, he had to go over them. I have been told that people do not understand the difference between walking over people as lightly as possible and trampling upon them. All I can say is that these people have never been trampled upon or they would know. A sergeant who came up had to report to the Superintendent, and he had to go across the boys. He had a dog with him but he gave no orders to the dog, and I do not know what the dog did. But eventually as these people said that they could not possibly move the Superintendent of Police called upon a fatigue party to remove them so as to clear the gate. It must be remembered that a lot of people wanted to enter at the time. As far as I can make out there was a large crowd assembled there who wished to enter the exhibition and the young men, the picketters, were mixed up with the crowd and were trying to prevent them from entering. As you know, Sir, it is necessary, when there is a situation of that sort, to keep the crowd moving. It is quite possible that in moving them there a certain amount of damage may have been done. We have heard from the other members from Barisal who have spoken in this debate that the force used was the minimum possible, and that in their opinion the police were not anything like rough enough.

So much for Barisal. I do not think it necessary to go into details of what happened afterwards beyond saying that the majority of the saner people in Barisal—the older and cooler heads—expressed their disapproval of the methods of Babu Saral Kumar Dutt and his friends, and Mr. Sen Gupta himself who was present at Barisal about that time expressed regret at a meeting that there appeared to be disagreement on the subject between the older and younger members of the Congress. All honour in my opinion to the older members of the Congress Committee who were not prepared to be carried away by a little group of roughs.

At the end of his speech Babu Saral Kumar Dutt mentioned that four murders have been committed recently in Barisal which have not yet been detected. I should like to ask him how many of these murders were committed with daggers, and whether he is or is not interested in a dagger factory.

Babu SARAL KUMAR DUTT: On a point of personal explanation, Sir. I have no dagger factory but I have a cutlery factory where pruning knives and *daos* are manufactured for tea garden use———

The Hon'ble Mr. A. N. MOBERLY: And incidentally daggers.

Babu SARAL KUMAR DUTT: No, Sir; no daggers but *daos*———

The Hon'ble Mr. A. N. MOBERLY: Which are sharp enough to kill people.

I next come to Maulvi Tamizuddin Khan's three motions in connection with the appointment of sub-inspectors. The system of recruiting assistant sub-inspectors is by promotion as far as possible from the ranks of constables. One of our troubles hitherto has been that there are not enough Muhammadan constables. We do not get enough men with the right amount of education and physique. The rules lay down that when there is a vacancy in the rank of assistant sub-inspector, the Superintendent of Police should report to the Deputy Inspector-General whether he has any constable fit to fill the post. Sir, I think if we get the right class of Muhammadan constable we should not have much trouble in getting Muhammadan assistant sub-inspectors. As it is at present, I admit that there is a difficulty.

When there are no constables who are fit to be assistant sub-inspectors, the next thing to do is to recruit from outside. Until recently, 1926 I think, no proportion was fixed for direct recruitment. Government then issued orders that 1/3rd of the outside vacancies should be given to Muhammadans, but I would point out that this direct recruitment does not come into operation at all unless there are no constables who are really fit for promotion. Therefore, I would say to my Muhammadan friends—let us have more good, qualified, literate Muhammadan constables, and then the question of direct recruitment proportions will not be of such importance.

As regards the other point—that Muhammadans are kept down by their Hindu superiors. We have often heard it before, but it is impossible for those who charge the Hindu superiors with this to prove it, and it is impossible for us to disprove it. Personally I do not believe it, but the remedy is to give us good Muhammadans, and they will undoubtedly go up into the higher posts. Maulvi Tamizuddin Khan has admitted that the direct recruitment of sub-inspectors is entirely satisfactory, and if we can get better Muhammadan constables, I think that the total percentage of Muhammadan sub-inspectors will be better still.

I now come to Babu Romes Chandra Bagchi. His objection is to the District Executive Force—Intelligence staff. A glance at the budget will show that our demand for next year is some Rs. 20,000 less than it was a year ago. The decrease in the staff is really very much more than is apparent from these figures because of the recent increase of pay which has increased establishment charges all round. We have decreased this temporary staff, and as opportunity occurs we shall

decrease it further and further. I may say at once that we have no desire to destroy the political activities of young men except in so far as they tend to terrorism. When it becomes a matter of terrorism, I am afraid we have to use every method in our power to deal with it. No Government can exist for a week if it does not.

Next I come to Maulvi Asimuddin Ahamad who objects to the demand of Rs. 3,30,000 for clothing charges. We have reduced this demand by Rs. 70,000 as compared with last year, and at present we cannot go any further. I may say that even this reduction may not be permanent because we are committed to increasing the grants for uniform to inspectors and sub-inspectors as soon as we dare face the Council for more money.

Next I come to Srijut Radha Gobinda Ray. He gave me a number of statistics from the last annual report. There was an increase in crime in 1927. Increases in crime in Bengal, as is well known to everybody—and I have no doubt it is equally well known to Srijut Radha Gobinda Ray—are very largely dependent on economic causes. When crops are bad crime goes up, and when crops are better crime goes down. I do not think that any efficiency in detection would alter that fact. It is no use comparing one year with another like that. I would ask Srijut Radha Gobinda Ray to go a few years back and see what the general tendencies are. I think he will find that things are a good deal better now than they were a few years back, and that there was a steady decrease down to 1926. I believe that the increase which then took place owing to bad economic conditions is ending again.

Then he twitted Government because a large proportion of the cases which they instituted ended in conviction. I submit, Sir, that this is a tribute to Government for thoroughly investigating a case before they institute it, for making fairly certain that the case is a thoroughly good one and for not harassing people by putting in cases without due care and consideration.

5 p.m.

Next, he mentioned the small number of convictions in cognizable cases against the person. Well, it is well known that a lot of people go to court in cases of petty assault and so forth and ultimately they think better of it and compromise these cases. That accounts for those figures to a very large extent.

Then, we come to stolen property. This is one of the hardy annuals. It has often been pointed out that much of the property stolen consists of paddy or of utensils which can be melted down and are often melted down and a lot of it is unidentifiable. The wonder is not that so little of the property is recovered, but rather that so much is recovered.

He has accused us of not fostering defence forces. I deny, Sir, absolutely that defence forces are not fostered and that the police do not entirely appreciate the good work which they have done. I had the honour to be closely associated with one of the first defence forces in Bengal—in Hooghly—which really did good work; and I can assure him that both the Superintendent of Police and the Deputy Superintendent at headquarters gave them all the encouragement in their power; and I have no doubt whatever that the same thing happens in other districts. I will not follow him into the thorny question of the repeal of the Arms Act or of giving military training in schools. I can only say that until the scholastic idea of liberty approximates rather more closely to mine and diverges more widely from that of Babu Saral Kumar Dutt, there might be some danger that the military training of schoolboys might lead to broken heads.

Next I come to Babu Naliniranjan Sarker's remarks. His speech struck me as being chiefly designed to import racial prejudice into this debate. It is perfectly true that at the present moment the higher ranks of the Indian Police Service are almost entirely filled by Europeans. But if he will look at the January Civil List, he will find that out of the last 20 names in the list of the Indian Police Service, 10 are Indians. A process of Indianisation is going on and will continue; and in course of time Indians will get to the top and will fill the higher posts.

Babu NALINIRANJAN SARKER: When?

The Hon'ble Mr. A. N. MOBERLY: You can make that calculation as easily as I can. I admit, Sir, that the process of increasing the number of listed posts in the police has been slow in Bengal. The reason for that is that we proceed upon a formula, which has been laid down by the Government of India with a view to seeing that directly recruited Assistant Superintendents are not deprived of the opportunity which they are supposed to have of officiating continuously as District Superintendents when they have eight years' service. As soon as the formula enables us to list more posts, we shall do so. Meanwhile a glance at the Civil List from time to time will show Babu Naliniranjan Sarker that a considerable number of Indians act in the posts of Superintendents of Police.

Then it has been suggested that the Europeans get more pay. The only difference in pay is that Europeans get overseas allowance which the Indians do not get. Well, Sir, I think that that principle is thoroughly well justified, and I would mention—although it is rather a different case—that when Indians go to England as members of the Council of the Secretary of State, they get 50 per cent. more pay than is paid to the Europeans.

His next point was that the main work of the Superintendent of Police is investigation.

Babu NALINIRANJAN SARKER: I never said it.

The Hon'ble Mr. A. N. MOBERLY: I am sorry but I have got it noted down here. If he has views of this kind, I hope he will come on to our Police Standing Committee or at any rate will read the Police Regulations. He will then discover that this is not the case. The Superintendent of Police is at the head of a very large force of inspectors, sub-inspectors, head constables, assistant sub-inspectors and constables and the administration and the maintenance of discipline in that force takes up a very great deal of his time. The rest of his speech related to the evidence of the Commissioner of Police and of the Inspector-General before the Simon Commission. My only comment is that I am very glad that he supports what I have always said—that the police as a body are not swayed by communal feelings and that they are loyal in carrying out their duties. His argument seems to me to be a ground for supporting the demand for their pay rather than cutting it. That, Sir, I think is the last of the motions. I have nothing much to say about the speeches which were made in support of them. They almost all related to the Barisal incident. I would only point out that Babu Surendra Nath Biswas's attempt to create prejudice related to a case which took place 5½ years ago. As regards that particular case, I have not the book here but from the best of my recollection, the gentleman who made the allegations, which have been trotted out by Babu Surendra Nath Biswas this afternoon, was prosecuted for defamation and was convicted. His appeal was dismissed in the Sessions Court and the High Court ordered a retrial. By that time everybody was so sick of the affair that nothing further was heard of it. I oppose all the motions.

The motion of Babu Saral Kumar Dutt was then put and a division taken with the following result:—

AYES.

Bagchi, Babu Nemoe Chandra.
Banerjea, Dr. Pramathanath.
Banerjee, Babu Promotha Nath.
Basu, Mr. P. C.
Biswas, Babu Surendra Nath.
Bose, Babu Bejoy Krishna.
Bose, Mr. S. C.
Chakrabortty, Babu Jatindra Nath.
Chakravarti, Babu Jogindra Chandra.
Chatterjee, Srijut Bijay Kumar.
Dutt, Babu Saral Kumar.
Ghose, Babu Amarendra Nath.
Gupta, Mr. Jogesh Chandra.
Khan, Babu Debendra Lal.
Maiti, Babu Mahendra Nath.
Moitra, Srijut Jogendra Nath.
Mukerjea, Srijut Taraknath.
Nasker, Babu Nem Chandra.
Pal Choudhuri, Mr. Ranjit.
Rahman, Maulvi Azizur.
Ray, Dr. Kumud Sankar.
Ray, Srijut Radha Gobinda.
Roy, Babu Manmatha Nath.
Roy, Dr. Bidhan Chandra.
Sarker, Babu Naliniranjan.
Sen, Srijut Nagendra Nath.
Sen Gupta, Mr. J. M.

NOES.

Afzal, Maulvi Syed Muhammad.
Ahamad, Maulvi Kasiruddin.
Blair, Mr. J. R.
Casselis, Mr. A.
Chaudhuri, Khan Bahadur Maulvi Hafizar Rahman.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Chaudhury, Maulvi Khorshed Alam.
Clark, Mr. I. A.
Cohen, Mr. D. J.
Dash, Mr. A. J.
Drummond, Mr. J. G.
Farequi, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Fyfe, Mr. J. H.
Ghose, Mr. M. C.
Ghosh Maulik, Mr. Satyendra Chandra.
Goenka, Rai Bahadur Badridas.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haque, Khan Bahadur Maulvi Azizul.
Hegg, Mr. G. P.
Hopkyns, Mr. W. S.
Hosain, Nawab Musharruf, Khan Bahadur.
Hussain, Khan Bahadur Maulvi Syed Maqbul.
Hussain, Maulvi Latafat.
Jenkins, Dr. W. A.
Karim, Maulvi Abdul.
Kasem, Maulvi Abul.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Khan, Mr. Razaur Rahman.
Laird, Mr. R. D.
Lamb, Mr. T.
Maguire, Mr. L. T.
Marr, the Hon'ble Mr. A.
McCluskie, Mr. E. T.
Mitter, the Hon'ble Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. N.
Nandy, Maharaj Kumar Sris Chandra.
Ordish, Mr. J. E.
Ormond, Mr. E. C.
Philip, Mr. J. Y.
Peddar, Mr. Ananda Mahan.
Rahman, Mr. A. F. M. Abdur.
Rauf, Maulvi Syed Abdur.
Ray, Babu Surendra Nath.
Ray Chaudhuri, Mr. K. C.
Rose, Mr. G. P.
Sarker, Rai Sahib Rebati Mohan.
Sattar, Khan Bahadur Abdus.
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur.
Stapleton, Mr. H. E.
Tate, Major General Godfrey.
Thomas, Mr. H. W.
Thompson, Mr. W. H.
Twynam, Mr. H. J.
Wordsworth, Mr. W. C.

The Ayes being 27 and the Noes 57, the motion was lost.

5-15 p.m.

The following motions of Maulvi Tamizuddin Khan were then put and lost:—

"That the demand of Rs. 6,20,000 under the head '26C.—District Executive Force—Police Force—Pay of Inspectors' be reduced by Rs. 100 (to criticise the system of recruitment and position of the Moslem community)."

"That the demand of Rs. 20,10,000 under the head '26C.—District Executive Force—Police Force—Pay of Sub-Inspectors' be reduced by Rs. 100 (to criticise the system of recruitment and position of the Moslem community)."

"That the demand of Rs. 10,03,000 under the head '26C.—District Executive Force—Pay of Assistant Sub-Inspectors and Head Constables' be reduced by Rs. 100 (to criticise the system of recruitment and position of the Moslem community)."

The following motion of Babu Romes Chandra Bagchi was then put and lost:—

"That the demand of Rs. 2,80,000 under the head '26C.—District Executive Force—Intelligence staff' be refused."

The following motions of Maulvi Asimuddin Ahamad were then put and lost:—

"That the demand of Rs. 3,30,000 under the head '26C.—District Executive Force—Clothing charges' be reduced by Rs. 1,30,000."

"That the demand of Rs. 1,25,45,000 under the head '26C.—District Executive Force' be reduced by Rs. 1,14,30,800."

The motion of Srijut Radha Gobinda Ray was then put and a division taken with the following result:—

AYES.

Bagchi, Babu Hamee Chandra.
Banerjea, Dr. Pramathanath.
Banerjee, Babu Promotha Nath.
Basu, Mr. P. C.
Biswas, Babu Surendra Nath.
Bose, Babu Bejoy Krishna.
Bose, Mr. S. C.
Chakrabortty, Babu Jatindra Nath.
Chakravarti, Babu Jogindra Chandra.
Chatterjee, Srijut Bijay Kumar.
Dutt, Babu Saral Kumar.
Ghose, Babu Amarendra Nath.
Gupta, Mr. Jogesh Chandra.
Khan, Babu Debendra Lal.
Maiti, Babu Mahendra Nath.
Moitra, Srijut Jogendra Nath.
Mukerjea, Srijut Taraknath.
Pal Choudhuri, Mr. Ranjit.
Ray, Dr. Kumud Sankar.
Ray, Srijut Radha Gobinda.
Roy, Babu Manmatha Nath.
Roy, Dr. Bidhan Chandra.
Sarker, Babu Naliniranjan.
Sen, Srijut Nagendra Nath.

NOES.

Afzal, Maulvi Syed Muhammad.
Ahamad, Maulvi Kasiruddin.
Blair, Mr. J. R.
Cassells, Mr. A.
Chaudhuri, Khan Bahadur Maulvi Hafizar Rahman.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Choudhury, Maulvi Khorshed Alam.
Clark, Mr. I. A.
Cohen, Mr. D. J.
Dash, Mr. A. J.
Drummond, Mr. J. G.
Faroqui, Khan Bahadur K. G. M.
Forrester, Mr. J. Campbell.
Fyfe, Mr. J. H.
Ghose, Mr. M. C.
Gurner, Mr. C. W.
Haque, Khan Bahadur Maulvi Azizul.
Hegg, Mr. G. P.
Hopkyns, Mr. W. S.
Husain, Khan Bahadur Maulvi Syed Maqbul.
Hussain, Maulvi Latafat.
Jenkins, Dr. W. A.
Karim, Maulvi Abdul.
Kasem, Maulvi Abul.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Khan, Mr. Razaur Rahman.
Laird, Mr. R. B.
Lamb, Mr. T.
Maguire, Mr. L. T.
Marr, the Hon'ble Mr. A.
Martin, Mr. O. S.
Mitter, the Hon'ble Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. N.
Ordish, Mr. J. B.
Ormond, Mr. E. C.
Philip, Mr. J. Y.
Rahman, Mr. A. F. M. Abdur-.
Rauf, Maulvi Syed Abdur.
Ray, Babu Surendra Nath.
Ray Chaudhuri, Mr. K. C.
Rose, Mr. C. F.
Sarker, Rai Sahib Rebati Mohan.
Sattar, Khan Bahadur Abdus.
Stapleton, Mr. H. E.
Tate, Major General Godfrey.
Thomas, Mr. H. W.
Thompson, Mr. W. H.
Twynam, Mr. H. J.
Wordsworth, Mr. W. C.

The Ayes being 24 and the Noes 50 the following motion was lost:—

"That the demand of Rs. 1,25,45,000 under the head '26C.—District Executive Force' be reduced by Rs. 25,05,000."

The following motion of Babu Naliniranjan Sarker was then put and lost:—

"That the demand of Rs. 1,25,45,000 under the head '26C.—District Executive Force' be reduced by Rs. 2,45,000."

The following motions were called but not moved:—

Babu AKHIL CHANDRA DATTA: "That the demand of Rs. 2,47,700 under the head '26D.—Police Training School' be reduced by Rs. 28,131 (the excess over the actuals of 1927-28)."

Babu MANMATHA NATH ROY: "That the demand of Rs. 2,47,700 under the head '26D.—Police Training School' be reduced by Rs. 100 (to discuss the policy regarding Police Training School)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 2,47,700 under the head '26D.—Police Training School' be reduced by Rs. 100."

Babu KHAGENDRA NATH GANGULY and Babu MANMATHA NATH ROY: "That the demand of Rs. 4,14,160 under the head '26E.—Special Police' be refused."

Babu AKHIL CHANDRA DATTA: "That the demand of Rs. 4,14,160 under the head '26E.—Special Police' be reduced by Rs. 41,285 (the excess over the actuals of 1927-28)."

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 4,14,160 under the head '26E.—Special Police' be reduced by Rs. 20,000."

Babu MANMATHA NATH ROY: "That the demand of Rs. 4,14,160 under the head '26E.—Special Police' be reduced by Rs. 100 (to discuss the policy regarding special police)."

Babu AKHIL CHANDRA DATTA: "That the demand of Rs. 8,15,450 under the head '26F.—Railway Police' be reduced by Rs. 94,832 (the excess over the actuals of 1927-28)."

Babu MANMATHA NATH ROY: "That the demand of Rs. 8,15,450 under the head '26F.—Police—Railway Police' be reduced by Rs. 100 (to discuss the policy regarding Railway police)."

Babu BEJOY KRISHNA BOSE: Sir, I beg to move that the demand of Rs. 3,40,000 for "Temporary Force" under the head "26G.—Criminal Investigation Department" be refused.

Sir, I do not understand the meaning of the words "temporary force." A force which has been in existence for a number of years is called temporary force in the C.I.D. So far as I have been able to understand, this temporary force consists of several sections which deal with the operations of the Criminal Tribes Act; it has got another section called the Dacoity Section. Now, this temporary force in the C.I.D. has got several ramifications. There is the I.B. Section, the D.D. Section, the S.B. Section, the C.I.D. Section proper. On a comparison of the figures of crime dealt with by the C.I.D. as a whole, I find, Sir—I will confine myself to the figures of 1928 and will not compare with the figures of the other years—that in 1928 the C.I.D. dealt with the following cases: dacoities 94 cases, coining 2 cases, there was no case of murder. Then, there was one case of train wrecking, 11 cases of swindling, 8 cases of note forgery, 2 cases under the Arms Act, one case which is called a gang case under section 400, I. P. C., 40 cases under the bad livelihood section, i.e., section 110 of the Cr. P. C., and 4 cases under section 109, which is also a preventive section. Therefore, Sir, I find that in 1928 there were altogether 163 cases in which the C.I.D. investigated. Now, if you look at these offences—coining, swindling, note forgery and drugging—these can be called only professional crimes. Other offences are ordinary crimes under sections 110 and 109 of the Cr. P. C. and then dacoity and gang cases under section 400. These cases are of a category for which we have in the District Executive Force a number of Deputy Inspectors-General, range inspectors and other officers. These cases—dacoity and gang cases, 110 and 109 cases—came up to 139, that is to say, out of 163 cases dealt with by the C.I.D., 139 cases were cases in which the ordinary police force in Bengal are quite sufficient to deal with, so that all that is necessary on behalf of Government is to keep a small staff in Calcutta to work in collaboration with the district force in Bengal. In the temporary branch of the Intelligence Department there were 3 district superintendents of police, 16 inspectors, 38 sub-inspectors, 1 sergeant, 40 assistant sub-inspectors, 60 head constables and 120 constables and 11 clerks; and in the dacoity section there are 5 inspectors, 4 sub-inspectors, and 3 constables. In the statement showing the cases of dacoity dealt with by the temporary staff the cases dealt with were only 45 in 1928. It will be very simple for Government to abolish the C.I.D. by the method of reorganisation, by re-arrangement, so that much of the work that is being done by the C.I.D. may very well be done by ordinary police officers. The ordinary police force is employed in matters in which they ought not to be employed. For instance, take the case of serving processes. It staggered me

when I went through the report of the Inspector-General of Police to find that the Bengal police had to serve 148,692 processes in 1927. What are these processes which the police are required to serve? They were summons for witnesses to the sessions courts, notices regarding unclaimed property, notices under the Land Registration Act, notices under the Sale law and the Partition law and orders of local and district boards mainly with regard to elections. These are summons for serving which the police force should not be employed. If the police force were not employed in serving nearly 150,000 processes much of the work they do in that line would be saved and these people could have been employed in other and more important and legitimate duties of the police.

I went through the report of the investigation of cases for the year 1927, which is the only report available to us—for the report for 1928 has not yet been published. You will find here that in 1927 the I.B. investigated into two cases only of a political nature, for which the C.I.D., I.B. and D.I.B. already exist. What are the other cases they dealt with? They dealt with one case under section 400, I. P. C., in Murshidabad, one case under section 110, Cr. P. C. in the district of 24-Parganas, one case under section 110 at Midnapore and one under section 110 at Hooghly. Many of the members of Government who had been in the executive line as district magistrates for a long time know very well that section 110 cases could very well be left to the ordinary police and not to the C.I.D. Then there was one dacoity case which they investigated at Khulna. There was one gang case at Mymensingh, where they helped the local police. I do not want to multiply instances. I find that of the professional crimes which they had investigated two are coining cases at Bakarganj, one note forgery case at Midnapore, one Tibetan coining case at Darjeeling and a bogus Joint Stock Co. case at Bogra. Therefore on a comparison of the cases dealt with by the C.I.D. and I.B., I find two cases of a political nature and 4 cases of professional crimes—note forgery, coining and swindling, etc. All the other cases dealt with by them could very well be left to the ordinary police. Turning to the Criminal Tribes I find that only 7 gangs were brought under the operation of the Criminal Tribes Act. Even the investigation into these cases of criminal tribes might very well be left to the ordinary police. This shows that gradually the system is adopted of taking away from the district police force much of the important work that should have been left to them and these cases are now dealt with by the C.I.D. and I.B.

With regard to the I.B. there are two sections, one the Calcutta Branch, and the other the District Intelligence Branch. Now the District Intelligence staff I submit does not at all look after political cases. There are few political cases which are investigated in the

district of Bengal. The Calcutta Police Intelligence Branch is quit competent to deal with one or two political cases which might aris in a year and they may not arise for several years together. There fore the whole of the District Intelligence Branch seems to me to b a superfluity. These are suggestions which I seriously make. I d not say that the I.B. or C.I.D. are not at all necessary. A small staf working in Calcutta in co-ordination with the District Police all ove Bengal is all that is necessary. The whole amount that is spent fo the C.I.D., I.B. and the temporary staff may well be curtailed if th heads of those departments all sit together with the Governmen members and non-official members and make their suggestions Several months ago I suggested that the time had come for a Polic Commission to go into the whole question of police forces—the C.I.D in the districts of Bengal as well as in the Presidency towns and many constructive suggestions could be made and much constructive worl could be done if this were done. I know there is a standing com mittee on Police and I appeal to the Hon'ble Mr. Moberly to say whether it is not a fact that that committee meets very seldom; i meets perhaps once or twice before the budget session and therefore these things could not be discussed in the Police Standing Committee. If the Police Standing Committee met regularly, or if some members were co-opted who could make useful suggestions on the lines I have suggested, and if there were an exchange of views between the official and non-official members, much useful work could be done. Therefore I move that this sum be reduced.

Babu AMARENDRA NATH GHOSE spoke in Bengali in support of the motion moved by Babu Bejoy Krishna Bose.

The Hon'ble Mr. A. N. MOBERLY: I hope the Council will give us full marks for the confiding way in which we have supplied Babu Bejoy Krishna Bose with ammunition with which to demolish us. The temporary force is a force which is maintained as temporary because we are in the constant hope of getting rid of most if not all of it. I admit that our demand for 1929-30 is Rs. 40,000 more than the demand for 1928-29; but as a matter of fact we have made a considerable reduction in the personnel and we hope, if things go smoothly, to be able to make a further reduction. But I cannot give a guarantee of this at the present moment.

As regards Babu Bejoy Krishna Bose's speech, I am surprised that a lawyer of his eminence should consider that dacoity cannot be classed, in any circumstances, as professional crime. The experience of any District Magistrate and any Superintendent of Police would show that frequently dacoity is the work of professionals—of people who make a livelihood out of it; who may have begun in a small way

but who, finding after a time that it is quite a simple matter to commit dacoity, have widened their sphere of operations and enlarged their gangs.

Communications are easier now than they used to be and criminals have learnt this fact. I have the report from which he has quoted. I would begin by mentioning—this was in 1927—I would begin by mentioning that the list of cases mentioned by the Inspector-General of Police is not exhaustive. He says that the officers of the C. I. D. were engaged in the following *amongst other* important investigations. Glancing down the list I find there was a case where a gang was caught in Noakhali whose members came from Dacca and Tipperah. Another gang operated in the districts of Pabna, Rangpur and Goalpara and along the northern section of the Eastern Bengal and Assam Bengal Railways. Section 110 cases are also cases in which one has to deal with a gang. When a gang operates over a considerable area and its depredations extend to two or more districts and even to different provinces, I maintain that if the detection and investigation work is left to the ordinary district police, it is unlikely to be successful, not because the district police are devoid of detective ability but because they have to cope with a great deal of ordinary work and cannot be spared to devote their whole time to running these gangs to earth. The C. I. D. is therefore necessary, and I am afraid I cannot agree that any reduction is possible. It is not for pleasure that we make these demands from the Council. We do it because we have to.

There is then the Intelligence Branch side. There we have reduced more than we have done in the C. I. D. section and there we hope to be able to reduce further. We must however—and I think the Council will admit it—go slowly. The Council has not perhaps forgotten that not very long ago we had under restraint of various kinds a number of people whom we honestly believed—I am afraid my friends on the other side will not agree with me there, but at any rate they will give us credit for our honest conviction—whom we honestly believed were engaged in a terrorist conspiracy. The restraint upon those people was gradually relaxed, and they are now at liberty. We hope that this liberty will not be misused. Nobody would be more grieved than I if any of these people were to do anything which would require us to take any further action against them. But I think the Council will admit, having regard to our genuine conviction, that we must go slow before we cease to take any interest in their doings.

I do not think, Sir, I can say more about this. I cannot go into much detail. I will say this that as regards a number of these people, we have been agreeably surprised—we believe that for the time being, and I hope that it may be for ever, they have set their face against violence. But, Sir, I am not prepared to relax vigilance entirely.

6 p.m.

I think that on Government's part it would be nothing short of folly to do so. I can only express the hope that the time will come before very long when we shall be able to dispense with enquiries about these people. I oppose the motion.

The motion of Babu Bejoy Krishna Bose was then put and lost.

The following motion was not moved:—

Mr. P. C. BASU: "That the demand of Rs. 11,000 under the head '26G.—Police—Criminal Investigation Department—Rewards' be refused."

Babu AMARENDRA NATH GHOSE: I beg to move that the demand of Rs. 1,00,000 under the head "26G—Criminal Investigation Department—Secret Service money" be refused.

He spoke in Bengali in support of his motion.

Babu BEJOY KRISHNA BOSE: Mr. President, Sir, I would request the Hon'ble Mr. Moberly to remember the biblical phrase "Do unto others as you would like others to do unto you." He has asked us, the members on this side of the House, to give credit to the Government for its honest beliefs. I hope, Sir, the Hon'ble Mr. Moberly will give credit to us for our honest beliefs also. I do not know whether there is a terrorist conspiracy; if there is, Government depends upon the reports of spies, informers and others. If information is given to the police officers by their spies, watchers and informers, that information like the information that is annually got from the village chaukidars is pigeonholed in the Secretariat as "informations of State." If there is a conspiracy—a terrorist conspiracy—Government ought to know that such a conspiracy could be quelled in no time by a policy not of repression but of conciliation. People conspire against Government not actuated by motives of gain for they suffer most but by political considerations, improving the political and economic conditions. With regard to this demand for secret service money, I submit, Sir, that there is a bad odour about it. In the whole Police budget there is a demand for some money here and some money there, and if all these be collected together, the whole demand comes to Rs. 2,59,390 in the shape of rewards; that is to say, nearly Rs. 2,60,000 are paid to police people in the shape of rewards. Why is this special demand of Rs. 1,00,000 under the head of secret service money. Well, Sir, I shall say nothing except from my own personal experience. Years ago I was prosecuting on behalf of the Crown a gang case and the approver in that case was cross-examined by one of the accused named Habib—there was nobody

to defend the accused. The trial was held before Mr. P. C. Beachcroft than whom we had not had a better or a more popular Judge.

6-15 p.m.

Now, Sir, that witness—an approver—in the course of cross-examination of four hours completely broke down. He was cross-examined not by a trained lawyer but by the accused himself. I was very anxious to know as to how was it that the approver broke down. When the case was over I asked the approver "how is it that you an associate of these people, could not give satisfactory answers as to where you held consultation and so forth." The man said "had I ever been there myself? I was taken there by Babu so and so the Investigating Officer. I went only twice to that place."

[At 6-15 p.m. the Council was adjourned for prayer and it reassembled at 6-30 p.m. The Hon'ble the President took the Chair.]

Babu BEJOY KRISHNA BOSE: I was relating, Sir, my personal experience as to how this money is used. I was saying that when that approver was asked how was it that he broke down in cross-examination, he said he had never been to that place, he was taken there twice and he was tutored to say what he said. That, Sir, I believe, is how secret service money is spent. I do not know whether any account is kept. I understand that this money is spent in creating evidence, of course, without the knowledge of the higher officers of the police. No officer of the thana will go and tell the Inspector-General of Police that he had tutored witnesses or created evidence by giving money. They will simply take the men to the superior officers and say these are the men who will give evidence. This money is paid to informers, watchers, spies and so forth, and, I think, such an amount ought not to be passed by this House. We know of the old story of a memorial which was sent by a political prisoner at Mandalay to the Secretary of State and Members of Parliament, in which it was stated that *agent provocateurs* were let loose in order to bring people to trouble. I think this is done by means of this secret service money. Now, what is this reward of Rs. 2,60,000 and what is this secret service fund of Rs. 1 lakh, for which a separate demand is made? Year after year we find that the demand under this head is increasing. In 1922-23 it was Rs. 29,462, in the year 1924-25 it was Rs. 74,990 and it has now come up to Rs. 1 lakh. This Council ought not, knowing fully how evidence is secured by this tainted money, to vote this amount.

Mr. PRESIDENT: The guillotine falls at 7-25 and I have decided not to adjourn before 7-25, that is until the House finishes with this demand.

The Hon'ble Mr. A. N. MOBERLY: I always find some difficulty, Sir, in speaking in connection with secret service money, because it is used for secret service. But when I say secret service, the service is not so secret that I and a few other people are not privileged to look into the accounts. I may assure this House that accounts are kept and that it is only within the last few weeks that we have had an inquisition into the secret service accounts. My friend, Babu Bejoy Krishna Bose, may rest assured that whatever I may say about what he has said in this Council,—and if ever I may say anything which appears to reflect upon him,—I give him credit for honest belief in every word that passes his lips. He has quoted a case in which he was concerned, in which an approver admitted that he had been tutored. I do not know what that case was or when it occurred. I only hope that he at once brought it to the notice of the higher authorities in the Police Department. I may mention that to my own knowledge a case occurred in comparatively recent times when I was in charge of the department, in which we were led to believe that certain police officers had tutored a certain witness, and those police officers were punished—I think suitably punished. My friend says that he knows nothing about any terrorist conspiracy. I have said in this Council before that if members would take the trouble to read the Rowlatt Report, of which I think a copy is in the Library—and if there is not a copy there I shall be glad to send anybody a copy to read—they will be convinced that the terrorist conspiracy which was investigated by the Rowlatt Committee was not a figment of the imagination of the police. The evidence on which action is taken against terrorists is never the isolated evidence of any particular person. Cases are quoted in the Rowlatt Report which show how evidence is collected—evidence which at the time may seem trivial—but which dovetails with other evidence from entirely different sources to confirm the fact already ascertained. It is only human to err but I claim that in all cases in which we have acted in connection with the terrorist conspiracy, the margin of error has practically been eliminated.

Then, Sir, he spoke of quelling anything in the way of revolutionary conspiracy by a policy of conciliation. I would only refer him to the recent news from Ireland, which is a country which the party to which he belongs is never tired of referring to as a parallel to India. The President there declared that notwithstanding the fact that Southern Ireland had become a dominion, a terrorist conspiracy was in existence, which would require the most drastic action to quell. I have little doubt myself that even when my friend and his friends are responsible for maintaining law and order in Bengal, they will find it impossible to do without a certain amount of secret service money. I can only say that we do not employ *agent provocateurs* and we do not

spend money in tutoring witnesses, and if anybody can prove to me that any witness has been tutored, I shall be very pleased to take the most drastic action against any person who is proved to have taken part in such tutoring.

With these words I beg to oppose the motion.

The motion of Babu Amarendra Nath Ghose was then put and a division taken with the following result:—

AYES.

Bagchi, Babu Romes Chandra.	Khan, Babu Debendra Lal.
Banerjea, Dr. Pramathanath.	Maiti, Babu Mahendra Nath.
Banerjee, Babu Promotha Nath.	Maitra, Srijut Jogendra Nath.
Biswas, Babu Surendra Nath.	Mukerjea, Srijut Taraknath.
Bose, Babu Bejoy Krishna.	Ray, Srijut Radha Gobinda.
Chakraburtty, Babu Jatindra Nath.	Ray, Babu Manmatha Nath.
Chatterjee, Srijut Bijay Kumar.	Roy, Mr. D. N.
Dutt, Babu Saral Kumar.	Sarker, Babu Naliniranjan.
Ghose, Babu Amarendra Nath.	Sen, Srijut Nagendra Nath.

NOES.

Afzal, Maulvi Syed Muhammad.	Maguire, Mr. L. T.
Blair, Mr. J. R.	Marr, the Hon'ble Mr. A.
Casselis, Mr. A.	Mitter, the Hon'ble Sir Prevash Chunder.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.	Moberly, the Hon'ble Mr. A. N.
Clark, Mr. I. A.	Philip, Mr. J. Y.
Cohen, Mr. D. J.	Rahman, Mr. A. F. M. Abdur-.
Dash, Mr. A. J.	Ray, Babu Surendra Nath.
Drummond, Mr. J. D.	Ray Chaudhuri, Mr. K. C.
Ghose, Mr. M. C.	Rose, Mr. G. F.
Gordon, Mr. A. D.	Sarker, Rai Sahib Rebati Mohan.
Curner, Mr. C. W.	Stapleton, Mr. H. E.
Hogg, Mr. G. P.	Tate, Major General Godfrey.
Hopkyns, Mr. W. S.	Thomas, Mr. H. W.
Hussain, Maulvi Latafat.	Thompson, Mr. W. H.
Jenkins, Dr. W. A	Travers, Mr. W. L.
Khan, Khan Sahib Maulvi Muazzam Ali.	Twynam, Mr. H. J.
	Wordsworth, Mr. W. C.

The Ayes being 18 and the Noes 33 the motion was lost.

Mr. PRESIDENT: I should like to have one discussion on motions Nos. 507—515 together.

Mr. D. N. ROY: I beg to move that the demand of Rs. 10,64,500 under the head "26G.—Police—Criminal Investigation Department" be refused.

The following motion standing in the name of Srijut Taraknath Mukerjea was called but not moved:—

"That the demand of Rs. 10,64,500 under the head '26G.—Criminal Investigation Department' be reduced by Rs. 5,48,000."

Srijut RADHA GOBINDA RAY: I beg to move that the demand of Rs. 10,64,500 under the head "26G.—Police—Criminal Investigation Department" be reduced by Rs. 4,50,000.

I am fully confident, Sir, that there is no such thing as a terrorist movement at present in Bengal. I beg to state that the C. I. D., so far as the investigation of seditious crimes are concerned, is absolutely unnecessary. Taking for the sake of argument, that there is a secret organisation of terrorist movement, I must say that the responsibility for this terrorist movement lies entirely with the Government, because wherever there are political crimes they are the necessary concomitant of bad government and the rectification thereof lies not in employing so many C. I. D. officers but by adopting a system of administration according to the lines suggested by the representatives of the people. Sir, a change in the angle of vision is what is needed. We know that no country in the world has been able to eradicate and suppress political activities by the employment of a number of C. I. D.'s. Revolutionary crimes have no initial attraction in themselves but bad administration generates revolutionary crimes. When young people are led to believe that the constitution of their country is absolutely hopeless and constitutional agitation bears no fruit their enthusiasm is led into a channel which we all deplore. Therefore I do assert on the floor of this House that Government is taking a wrong line by continuously spending large sums of money upon the activities of the C. I. D. But the effect is that instead of suppressing such crimes—if such activities do exist at all at present in Bengal they are helping to create and generate such activities. We are all familiar with the activities of the C. I. D. People who have never dreamt of conceiving such things are shadowed, as my friend Babu Amarendra Nath Ghose has said, simply if they happen to mix or converse with people who are not in the good graces of Government. Perhaps a gentleman is related to a man who is looked upon with suspicion by the C. I. D. and if that unfortunate gentleman converses with that suspected gentleman he will be followed and his life will be made unbearable. I agree, however, that a C. I. Department is necessary and is useful, but it is useful in so far as the investigation of cases of a subtle and complex nature is in question. A department dealing with that may be maintained but I request Government to change its angle of vision and do away with that part of the department which is not looked upon by the representatives of the people as at all necessary. With these words I beg to move that the department should be curtailed and it should be maintained at a cost which the people can bear without any grievance.

The following motions were called but not moved:—

Babu NALINIRANJAN SARKER: "That the demand of Rs. 10,64,500 under the head '26G.—Police—Criminal Investigation Department' be reduced by Rs. 1,64,500."

Babu AKHIL CHANDRA DATTA: "That the demand of Rs. 10,64,500 under the head '26G.—Police—Criminal Investigation Department' be reduced by Rs. 62,222 (the excess over the actuals of 1927-28)."

Babu MANMATHA NATH ROY: "That the demand of Rs. 10,64,500 under the head '26G.—Police—Criminal Investigation Department' be reduced by Rs. 100 (to discuss the policy of the Department)."

The Hon'ble Mr. A. N. MOBERLY: I have to reply to two motions. The first is for the total refusal of the demand for the Criminal Investigation Department. I do not think there are more than two members of this Council who would support that motion judging from what I heard said. I would merely beg to point out that notwithstanding the recent increase in the pay of the lower ranks of the police the total cost of the Criminal Investigation Department for 1929-30 is only Rs. 3,000 more than the estimated cost for the current year.

Coming to the proposal that the grant should be reduced by Rs. 4½ lakhs Srijut Radha Gobinda Ray has expressed his conviction that there is no terrorist conspiracy. I give him credit for all honesty in his conviction and as I have already said this evening I am happy to say that the evidence points at present to an absence of a desire for immediate violence among a number of those who were recently restrained. But I also said that I was afraid that we should have to go rather slow in entirely releasing them from supervision. He said that no country was able to suppress political activities by means of the Criminal Investigation Department. We have no desire to suppress all political activities and I think it is only necessary for anybody to read his daily paper to see how very active political movements are at the present day. What we have to suppress is terrorism. Terrorism for the present has declined but, Sir, without referring in any detail to a case which is *sub judice*, I would refer to the fact that a sub-inspector has lost his life within the last month by being stabbed. I oppose these motions.

The motion that the demand of Rs. 10,64,500 under the head "26G.—Police—Criminal Investigation Department" be refused was put and lost.

The motion that the demand of Rs. 10,64,500 under the head "26G.—Police—Criminal Investigation Department" be reduced by Rs. 4,50,000 was put and lost.

The following motion was called but not moved:—

Babu AKHIL CHANDRA DATTA: "That the demand of Rs. 90,000 under the head '26I.—Police Works' be refused."

Mr. PRESIDENT: I shall take motions Nos. 518 to 528 together.

7 p.m.

Mr. D. N. ROY: I beg formally to move that the demand of Rs. 1,94,55,000 under the head "26.—Police" be reduced by Rs. 1,94,54,999-15-11.

Srijut BIJAY KUMAR CHATTERJEE: I beg to move that the demand of Rs. 1,94,55,000 under the head "26.—Police" be reduced by Rs. 1,00,00,000 (on the ground of need for retrenchment and economy—bad Government policy—non-employment of Indians in higher services—low scale of pay of Indians and high scale of pay of Europeans).

In moving my motion for reduction, I submit that I am voicing the opinion of my countrymen when I say that time has come when the Government should seriously consider the desirability of reducing the police expenditure.

Mr. PRESIDENT: Will you make one speech on 519 and 520?

Srijut BIJAY KUMAR CHATTERJEE: All right, Sir, I am moving both. My next motion is that the demand of Rs. 1,94,55,000 under the head "26.—Police" be reduced by Rs. 45,00,000 (on the ground of extravagance, bad police administration, need for economy and retrenchment, non-employment of Indians in superior and higher posts, low scale of pay of Indian officers).

No one says that the Police Department should be abolished altogether, but what we say is that the expenditure on police should be proportionate to the income of the Government, and other important departments should not be starved in order to supply money to the Police Department. If we look to the budgets of the previous years we are struck with the appalling increase of police expenditure in Bengal. A few years back the Government could manage with a sum below a crore, but with shamelessness and jobbery that are peculiar to its own this benign British Government, said to be based on the principles of equity, justice and commonsense, has increased the police expenditure from a sum below one crore to more than two crores and twelve lakhs of rupees. But we forget that this Government is based neither on equity nor on justice nor on commonsense. Does the Government seriously think that it can go on increasing expenditure on police at the present rate? What is the object of doing so? If it is their object to rule Bengal on the point of the bayonet, if it is the object of the Government not to take into confidence the children of the soil but to engage secret police officers

to watch the movements of the people—to watch how they move, how they speak, how they think—then I am afraid your attempts are bound to fail. I understand that thousands of persons are employed in secret service, and whether in the Bar Library, or in College Professors' rooms, in hostels, clubs, boardings and even in Government offices, there are numerous secret service men whose only duty is to watch the movements of the children of the soil and to report against them. We had been told that there were even detectives to report against Lord Carmichael who was suspected for his pro-Indian views, and even such eminent men as the late Matilal Ghosh of the *Amrita Bazar Patrika* was not allowed to have free conversation with His Excellency Lord Carmichael. Sir, if the Government proceeds in this way it will have to keep one detective for every person above the age of 12, and thus several crores of detectives would be necessary to keep Bengal under subjection.

Then coming to the general side of the question we find that in spite of the heavy expenditure on police, the lives and properties in Bengal are not safe. One cannot go out in a city or town with any valuables in his pocket, cases of theft and dacoity are increasing in alarming degree, the honour of girls and ladies in villages is not safe and yet we find that the cost of the police administration is daily increasing.

Sir, I say that the people of this country have no confidence in the Police Department. In the first place, they do not get any real help from them. Even if there be any cases of theft or dacoity or any other crime committed in their houses, they are loathe to lodge any complaint before the police, because far from getting any real help leading to the detection of the crime these gentlemen—whether they are educated men of towns or uneducated villagers all of them are insulted in such a way, they are treated in such a rude and harsh manner, that they think it better not to be harassed any more. On the other hand the public is deeply grieved to find that the police very often treats public-spirited gentlemen, idealistic and noble youths in a manner that is really shocking. Then we find that although our unfortunate fellow-countrymen in the Police Department take upon themselves all the odium and blame for working against the true interests of the Indians, all the higher appointments have been filled up with officers recruited from a foreign land—with no education, no culture, and no experience of Indian affairs. I say from personal knowledge that there has been great disappointment and disaffection among the Indian section of the Police Department who are daily becoming estranged on account of the unfair treatment that is meted out to them as regards pay, prospects and pension and privileges. And from this Council chamber I give a warning to the Government that it is ruling our country against the goodwill of everybody.

All the departments of the Government as they are administered now are unpopular, but there is no other department which is so unpopular, so anti-national, so extravagant as this Police Department is. And if the trustees of the Indian Empire, for the benefit of England, try to govern India as they are now doing, I am sure that sooner or later they will have to face a situation that they could have easily avoided by taking into confidence the children of the soil. A little more statesmanship, a little more foresight would have avoided such a crisis. I therefore say that have confidence in the people, do not make their lives uncomfortable by constant spying and shadowing the people, take the help of the people of the land by organising volunteer corps for keeping watch in the villages and thereby try to prevent theft, arson, dacoity, and take the help of the Indian police officers and curtail the expenditure, and thereby save one crore of rupees. And if you can save a crore, you will save the lives of many crores of the hungry and thirsty people of Bengal. Give them water, give them food, and shelter and clothing, medicine and diet. It is the crying need of the country. Economy, economy in all its branches, is the need of the hour and have your support on the love and goodwill of the people.

Srijut JOGENDRA NATH MOITRA: I beg to move that the demand of Rs. 1,94,55,000 under the head "26.—Police" be reduced by Rs. 18,35,000.

Sir, I will not say anything on the main policy on which the Government is run in this country, I mean the policy of the mailed fist, which the police provides. I will not say anything about the vagaries of the police, or of the high-handed and brutal treatment that is meted out to our men and women for their only fault of loving their country. I will not allude to the sinister activity of the Criminal Investigation Department and the *agent provocateurs*. I will not also dwell on the indignities that are daily heaped on our respected leaders in the name of law and order. I will confine myself to my motion which is simply an outcome of a practical necessity which this deficit budget has rendered inevitable.

Sir, the total amount (voted) provided under the head "Police" in the budget for 1929-30 exceeds the amount provided for this year's (1928-29) budget by Rs. 18,35,000. My moderate proposal is to reduce this excess amount and make it equivalent to the amount of the current year, *i.e.*, Rs. 1,76,20,000 in place of Rs. 1,94,55,000.

If, on the plea of insufficiency of funds, you could curtail grants from the nation-building departments, as for instance from the Department of Public Health, what reasonable ground can there be that can weigh against your curtailing on this head? But here, I am

not even asking you to curtail but only not to increase this allotment. This can be very easily and conveniently done. The Government is fully aware of the insistent demand for funds from Transferred departments, *i.e.*, the Departments of Education, Sanitation and Agriculture. This Rs. 18 lakhs if properly distributed will go a great way to calm the public feeling in this country. The manner in which the public money is squandered over the "Police" has been clearly shown the other day and also to-day by my friend Mr. Bejoy Krishna Bose. Huge amount of money is wasted without reason or justification on the construction of family quarters of married sergeants and officers. One lakh of rupees is handed over to the C. I. D. every year as "secret service money"—Secrecy is regarded as sin in individuals; it is more so in body-politics. Here we, the representatives of the people, are not allowed to know how this amount is expended.

Then, I shall proceed on to show how a large sum of money is spent from Bengal revenue for concerns whose proceeds is entirely swallowed by the Central Government—I refer to the Railway police and the Port police. Sir, the railway administration is entirely run by the Central Government and the income derived from this source is entirely appropriated by the Imperial Government. Any question or proposal made in connection with railways is not accepted in this House on the ground that the Province has no jurisdiction over it. Under the circumstances may I enquire why the Government of Bengal is made to pay Rs. 8,78,000 every year for Railway police? Is it at all consistent and proper that one Government should be victimized for the benefit of the other?

Sir, on the revenue side, we find that we get only a paltry sum of Rs. 19,500 as contribution for the Railway police. Most probably this small contribution we receive from the Bengal-Nagpur and Assam-Bengal Railways. But absolutely nothing is received from the Eastern Bengal and East Indian Railways. We can urge upon the Central Government to bear the expense of this Railway police. This will make a saving of more than Rs. 8 lakhs a year.

We are also asked to spend Rs. 3,21,741 on "Port police." This also, I beg to submit, is primarily a matter of the Central Government. It is most unfair to make Bengal pay for safeguarding the interest of the Central Government.

Sir, I will not be long. I have ventured to make a very modest suggestion—I have pointed out a few of the many items where curtailment can be effectively done. I hope, the Government, if it has the slightest consideration for the demands of the people, will forthwith accept my proposition.

The following motion was called but not moved:—

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs. 1,94,55,000 under the head '26.—Police' be reduced by Rs. 15,61,000."

Srijut NAGENDRA NATH SEN: I beg to move that the demand of Rs. 1,94,55,000 under the head "26.—Police" be reduced by Rs. 100 (to draw attention to the fact that the number of Deputy Inspectors-General should be reduced).

My intention by moving this motion is to draw the attention of this House to the number of Deputy Inspectors-General which ought to be reduced. It will be seen from the Civil List that there are 6 Deputy Inspectors-General of Police drawing a salary of Rs. 1,700 to 2,150 per month. All of them are Europeans and there is not a single Indian. I also learn from some of the previous speakers that some of these officers are employed in the administration of the Railway police and the Port police. Sir, whenever any question with regard to the administration of the railways is raised in this House the Hon'ble Member-in-charge, Mr. Marr, is always very content to say that railway is a Central subject and therefore sacrosant so far as this Council is concerned. If we have got to pay for the piper we have a right to call for the tune. If we have to pay for the police of the railways how is it that we cannot say anything for the inequitous condition of the railways. Out of these 6 Deputy Inspectors-General of Police it is stated that one officer is in charge of the Presidency Division, another in charge of Dacca Division and so forth. The question is whether the number of Deputy Inspectors-General can be reduced. No one says that the Government must not pay anything for the upkeep of the police. The maintenance of the police force is necessary for the proper administration of the Province but when the ratio exceeds, the cry is for retrenchment. The plea for increasing the expenditure upon the police is that there is terrorism consequent upon the discontent of the people. We do not admit that there is any terrorism in this country, but no one can deny that discontent is on the increase. In everybody's mind there is discontent—discontent towards the Government for the bad administration of the country, for the want of sympathy on the part of high placed officials whose duty it is to sympathetically administer the affairs of this country.

7-15 p.m.

It has been shown by my friend Babu Bejoy Kumar Chatterjee that in a few years the expenditure on the police has nearly doubled, namely, from below a crore of rupees it has risen to more than two crores of rupees, and the question is whether the discontent is in

proportion to that. Are the Government prepared to say that when the police expenditure was below a crore of rupees, the discontent was only one-half? The remedy for removing this discontent lies not in increasing the expenditure on police but in adopting a sympathetic and kind attitude towards the people. With these words, I commend my motion to the acceptance of the House.

The following motions were called but not moved:—

Maulvi SHAMSUR-RAHMAN: "That the demand of Rs. 1,94,55,000 under the head '26.—Police' be reduced by Rs. 100 (on the ground that a certain percentage of Inspectors of Police should be recruited directly)."

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 1,94,55,000 under the head '26.—Police' be reduced by Re. 1 (to discuss the general policy)."

Babu JATINDRA NATH CHAKRABURTTY: I beg to move that the demand of Rs. 1,94,55,000 under the head "26.—Police" be reduced by Re. 1 (on the ground that the police, who proved hopelessly inefficient during the recent riots at Calcutta, Pabna, Dacca and other districts, do not deserve to get a single pie more than what they used to get before).

Sir, when I first went through the budget for 1929-30 the most striking fact that arrested my attention was the Police budget. I do not know why this enhanced grant was necessary at all. This is a time when there is no trouble in any part of the country and when the demands on the additional services of the police are nil. At such a time the Finance Member thought it fit to budget for an excess grant of Rs. 16,17,000 than the revised estimate for 1928-29 and Rs. 27,39,000 than the actuals for 1927-28.

Sir, it is said by some English writers that British administration in India is absolutely unselfish, scrupulous, provident and charitable. India pays for India Office establishment in England, while the colonies, 20 times well off, contribute nothing to the Colonial Office. Every man, woman and child in India has to pay from one to two shillings every year as tribute to England—a tribute no Roman or Spanish colony ever bore. The highest salaries are paid, the overseas allowances and the heaviest pensions are provided for administrators and leave is granted on a most liberal scale. Where then is the vaunted self-sacrifice? This absolutely unselfish administration does not prevent people from dying from starvation like flies, does not prevent an epidemic visitation in famine-stricken area from producing worse horror than a battle-field. This has been the normal condition of the country we live in since the advent of the British administration.

Sir, when reports of death from starvation, reports of people living on boiled *kachu* and plants pour in every day from different places, the Hon'ble Member-in-charge is moving for an excess grant of Rs. 27,39,000 for the expenditure under the head " Police " on whom besides the charge of inefficiency it is no new thing to heap a number of accusations in the strongest possible words. Complaints, even the most well founded complaints against the police, have come and gone without producing the slightest impression on the people for whom they had been intended. But the wearer alone knows where the shoe pinches. Those who make such extravagant estimates for agents of law and order and assign the lion's share of the budgeted expenditure, the most favourite department of the bureaucracy, are simply asked to refer to the man in the street as to what he thinks of resorting to police for relief when a crime is committed in his house, the invariable answer has been and we believe shall be " it is only falling out of the frying pan into the fire." The platitudes of the official members supporting the claims of the police as superior to those of every other department have come to be felt as grossly insulting to the people. Sometime they seem to be devoid of all sense of humour in urging their preferential claims.

Every one of us has a close acquaintance what sort of law and order is kept in the country by the annual demand of more than two crore of rupees from men most of whom do not know what a full meal is and who suck mud in place of drinking water and have hardly a wherewithal to cover their loins with rags.

But, Sir, God only knows, how long we shall be thus crying in the wilderness. In an arena, where it is said, that we are holding a rehearsal of responsible government, it may not be interesting to compare notes and ask the most pertinent question, how much has been given for the relief of the famine-stricken people of Bengal whose cry has been piercing the ears of the officials and non-officials for such a long time. It is no use accentuating the unreality of our political life as evidenced here and we can only pray that the sooner our people take to fresh fields and pastures new, the better for the unfortunate country. Corruption and dishonesty are of course the stock charges against these detectors and investigators of the immoral anti-social activities of the people. There cannot be a truer application of the proverb " Physician heal thyself first."

Sir, the feeling of helplessness is daily growing on the people so far as the commission and omission of this pampered department of Government is concerned that to make even the slightest reference to them—except in such privileged places—is to incur the displeasure of the ruling authorities.

According to the mufassal people the Government means the police and keep them at an arm's length even when their help is most

needed. We have experienced that during the disturbances of the country like riots, etc., the existing police force and military could not at all successfully cope with the situation and the assistance of the volunteers from and within the country became indispensable. We have also seen during the recent riots in Calcutta and other places young band of volunteers successfully and creditably organised themselves within a short period and with grave risks and some times with the sacrifice of their own lives they succeeded in bringing out peace and order in the country. Not a word however has been mentioned by the police authorities or the Government in praise of the valuable assistance of the self-sacrificing bands though the martyrs like Chandra Kanta Deb, Jotindra Nath Sur of Calcutta, Romesh Chandra Banerjee of Comilla lost their lives to render help to this pampered department. After the riots—just fancy after the riots—the Government thought fit to take new recruits for strengthening the force all over Bengal, and specially at Calcutta the European inspectors at a cost of Rs. 52,737 or Rs. 733 per inspector per month, police forces were strengthened at different parts of the district at huge expenses. In 1927-28 armed police force was again strengthened by the addition of another battalion, mosquito curtains were purchased at Rs. 40,000. Big police housing schemes were maturing completion at fabulous costs. This and other things you go on adding to your list of expenses and you come every year for enhanced grant for increment of pay. This revision of pay, Sir, was rejected by this House and was restored by His Excellency the Governor in his extraordinary powers.

Now, Sir, my point for token cut is that you appoint European sergeants where there is no necessity at all at a salary which could provide at least 7 Indians equally competent at the cost of a single of them. They do not understand the language of the people, they do not understand the feeling, the sentiment of the nations of the land. They stand on streets and stay at their quarters with the idea that they are the near relatives of the Government, whose function is to rule with iron hands the inhabitants of Bengal. Nobody's honour is safe at their hands, men in the highest positions in life are treated by them as saps, they only follow the distinct policy of Lalbazar and Elysium Row. No consideration is shown to anybody, whether the man whom they deal with in their assumed duty is a millionaire or a president of the Bengal Chamber of Commerce, a Judge of the Calcutta High Court, or a Principal of the foremost colleges in Bengal, a member of the Senate and Syndicate of the Calcutta University. For students and young men of Calcutta they have a special liking for hitting and hitting hard, humiliating and abusing. In time of trouble they appear like proud cocks in the street acting in the manner of General Dyer, with whom they think they have the likeness in blood, colour, dress and spirit.

In the Budget, Sir, there is a provision for 198 of them to the extent of Rs. 2,98,000, and the sub-inspectors, who have more onerous duties to perform (of course there are a good many Europeans in that cadre also) who for their important position hold a higher place in the civil estimates, are provided with only Rs. 2 lakhs, though they are 100 in number, *i.e.*, had they been in equal number with the sergeants, they would have received a little less than a lakh. Under the circumstances, I think we ought not to increase any further costs of the police. There is ample scope for economy. Of the six Inspectors-General none is an Indian. The Commissioner and Deputy Commissioners are all Europeans with the exception of an unfortunate Indian, I say unfortunate deliberately, because I find though his place is the 6th in the gradation list of Deputy Commissioners, he gets a smaller amount than his next man who happens to be a European———

Mr. PRESIDENT: I am sorry I have to stop Mr. Chakraburtty. We have reached the maximum time-limit and I must forthwith put all the questions necessary to dispose of the demand under discussion.

The motions of Mr. D. N. Roy, Srijut Bijay Kumar Chatterjee, Srijut Jogendra Nath Moitra, Srijut Nagendra Nath Sen and Babu Jatindra Nath Chakraburtty were then put and lost.

The time-limit under the head "26.—Police" having reached the following motions were not put:—

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 1,94,55,000 under the head '26.—Police' be reduced by Re. 1 (on the ground of need for retrenchment and economy, bad Government policy, non-employment of Indians in higher services, low scale of pay of Indians and high scale of pay of Europeans)."

Babu AKHIL CHANDRA DATTA: "That the demand of Rs. 94,55,000 under the head '26.—Police (Reserved)' be reduced by Re. 1 (to protest against the extravagancy of the department)."

The motion that a sum of Rs. 1,94,55,000 be granted for expenditure under the head "26.—Police" was then put and agreed to.

Adjournment.

The Council was then adjourned till 3 p.m., on Wednesday, the 27th March, 1929, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the Provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Town Hall, Calcutta, on Wednesday, the 27th March, 1929, at 3 p.m.

Present:

The Hon'ble the President (the Hon'ble Raja MANMATHA NATH RAY CHAUDHURI, of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, and 87 nominated and elected members.

Starred Question

(to which oral answer was given).

Gazetted officers drawing military pension in civil employ.

***99. Srijut RADHA GOBINDA RAY:** (*a*) Will the Hon'ble Member in charge of the Appointment Department be pleased to state whether officers disabled in war and drawing military pension have to sign a declaration that they are not employed in touring work when employed in a Civil Department of Government?

(*b*) Is it a condition of the disability pension that officers drawing it are not allowed to do any touring work but to work as Judges and Magistrates doing desk work?

(*c*) Is the work of a District Officer essentially a touring work?

(*d*) Has any officer drawing disability pension on such declaration been employed as a District Officer?

(*e*) If so, in how many instances has such a deviation been made and how do the Government justify it?

(*f*) Will the Hon'ble Member be pleased to state whether there are any gazetted officers drawing military pension in civil employ?

(*g*) If so, what is the reason for not showing the military pension in the Bengal Quarterly Civil List?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Mr. A. N. Moberly): (*a*) and (*b*) Government have no information.

(*c*) A District Officer is expected to spend part of the year away from headquarters on tour and inspection.

(*d*) No.

(*e*) Does not arise.

(*f*) One.

(*g*) Because the list is a Civil List.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Member be pleased to inform the House if any enquiry has been made with regard to questions (*a*) and (*b*)?

The Hon'ble Mr. A. N. MOBERLY: We are not aware of any rule in connection with the questions generally. Enquiry has been made of the Accountant-General.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Member be pleased to inform the House if any officer drawing military pension is employed by the Government of Bengal on civil work?

The Hon'ble Mr. A. N. MOBERLY: The reply will be found in answer (*f*).

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Member be pleased to give the name of the gentleman referred to in answer (*f*)?

The Hon'ble Mr. A. N. MOBERLY: Colonel McGilchrist.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Member be pleased to inform the House if Mr. Symons, who was posted to Midnapore, is drawing a military pension?

The Hon'ble Mr. A. N. MOBERLY: Not so far as we are aware. We enquired of the Accountant-General, Bengal, and the answers to these questions are based on his replies.

Demands for Grants.

27.—Ports and Pilotage.

MEMBER in charge of MARINE DEPARTMENT (the Hon'ble Mr. A. Marr): Mr. President, Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 4,90,000 be granted for expenditure under the head "27.—Ports and Pilotage."

The following motion was called but not moved:—

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 13,600 under the head '27C.—Ports and Pilotage—Ports Establishments' be reduced by Rs. 100 (to discuss the position of Indians in the Port Establishments)."

Srijut RADHA GOBINDA RAY: Sir, I beg to move that the demand of Rs. 4,90,000 under the head "27.—Ports and Pilotage (Reserved)" be reduced by Rs. 10,000.

Sir, it is almost with a burning heart that I bring forward this motion. Last year, in reply to the very illuminating speech of Mr. S. C. Bose, the Hon'ble Mr. Marr praised the members of the Port Trust by saying that they were the cream of the business-men of Calcutta and dismissed the whole catalogue of grievances by the remark that the law lays down very limited amount of control by the local Government and the Government of India over the doings of the Port Trust. Such evasive reply we seldom come across! Sir, if, under the present Port Trust Act, neither the local Government nor the Government of India are in a position to control the vagaries of such an important public body arrangements should immediately be made for the amendment of the Act. Sir, the constitution of the Port Trust should be altered in such a way as to ensure that those representatives of the people, who have an adequate knowledge of its affairs, get a preponderating voice in its control.

Next, as regards the Indianisation of the services, I want to ask Government whether there has been any progress in the direction of taking more Indians in the services under the Port Trust, after the acceptance by the Government of India of the resolution of the Hon'ble Mr. (now Sir) Pheroze Sethna in the year 1922.

The Hon'ble Mr. A. MARR: Is the hon'ble member referring only to the services under the Port Trust or to the other services under this head?

Srijut RADHA GOBINDA RAY: I am referring only to the services under the Port Trust.

Sir, Mr. S. C. Bose drew the pointed attention of Government, last year, in his speech in this Council, to the indifferent and callous attitude of the Port Trust in giving effect to the resolution of the Hon'ble Sir Pheroze Sethna. I fully endorse the remarks of Mr. Bose, without entering into details of figures, which are certainly very irritating to the children of the soil.

Then, let us turn to the extraordinary extravagance in the administration of the Port Trust. The Chairman of the Port Trust draws a salary of Rs. 5,000 a month, with a house allowance of Rs. 850 per mensem. I do not know what onerous duties this officer has to perform, which entitles him to draw such a huge sum every month. We poor Indians cannot conceive how a Government, which cannot afford to supply ordinary drinking water to millions of its unfortunate subjects, can sanction such princely emoluments to one single officer. Other officers of the Port Trust are also paid princely salaries and allowances, and are also provided with palatial buildings at only nominal rents.

Sir, I know that the Europeans, who have come here from a distance of several thousands of miles to try their fortunes, cannot be satisfied with ordinary comforts and privileges. I do not also forget for a moment that in spite of theoretical maxims of equality and justice, the members of the ruling race claim superior standards of living and comfort! But, Sir, I cannot conceive that such huge sums can be given to individual officers from whatever country they may come and that such wide disparities can with justice be allowed to exist in the emoluments given to the European and Indian officers of the Port Trust. We have repeatedly warned Government of the urgent need for retrenchment, inasmuch as Government are not in a position to provide for the first and foremost necessities of the people of this country, which it is their duty to do like other civilised governments.

Sir, the preaching of high ideals of equity, justice, responsible government, and the increasing association of Indians in the higher and responsible branches of the administration, at the time of enunciating lofty principles and maxims, and then violating them in actual practice at the first opportunity, are things which I am not in a position to appreciate. This sort of hypocrisy I do seriously condemn.

Sir, the path of constitutional agitation so long followed by our countrymen is being deserted now. The faith in the promises of our rulers has been completely shaken. Dark suspicions about the sincerity of the promises of our rulers have been roused in the minds of the people of this country. Clouds in the political horizon have greatly obscured our vision. The political creeds of the people are on the eve of every great change.

Sir, the attention of Government has repeatedly been drawn to all these things since 1922. I ask the Hon'ble Member in charge of the Marine Department whether Government have taken any action for setting matters right, or whether they are willing even now to change their policy. I have no hesitation in saying that the policy of the present Government has up till now been the most obstinate and obdurate in character.

With these few words, Sir, I beg to move the motion that stands in my name for the acceptance of the House.

Mr. PRESIDENT: I think the Hon'ble Member will have no objection to make one speech on all the motions for reduction under the head " 27.—Ports and Pilotage."

The Hon'ble Mr. A. MARR: I have no objection. I shall take just about 5 minutes.

Srijut NAGENDRA NATH SEN: Mr. President, Sir, I beg to move that the demand of Rs. 4,90,000 under the head " 27.—Ports and Pilotage " be reduced by Rs. 100 (to draw attention to the fact that the number of Indians in the service is very small).

I confess that the wording of my motion is rather incorrect. I should have said that the number of Indians in the service is *nil*, instead of saying that it is very small. I have got a Civil List with me here, and———

The Hon'ble Mr. A. MARR: On a point of order, Sir. May I enquire of the member to which services he is referring—those under the Central Government or those under the local Government? If he is referring to the services under the local Government, then the number of non-Indians is 1 only.

Mr. PRESIDENT: Mr. Sen, you had better make that point clear, and also make one speech on the three motions standing in your name, namely, motions Nos. 532, 533 and 534.

Srijut NAGENDRA NATH SEN: I beg to move (1) that the demand of Rs. 4,90,000 under the head " 27.—Ports and Pilotage " be reduced by Rs. 100 (to draw attention to the fact that facilities should be given to Indians for learning navigation by providing a training ship and establishing a college; and (2) that the demand of Rs. 4,90,000 under the head " 27.—Ports and Pilotage " be reduced by Rs. 100 (to draw attention to the fact that the Committee recommended to be constituted by Resolution No. 1 of the present session of this Council should be forthwith constituted).

Sir, as I was saying, I have got the Civil List with me here, and it shows that out of 9 officers employed in the Calcutta Port not a single officer is an Indian. Out of 10 other officers, 4 only are Indians, and they are all medical men, and so properly speaking not belonging to the Marine Department. In the Chittagong Port, we find two officers who are Europeans. The only Indian officer there is the medical officer. In the Narayanganj Dockyard, the only officer employed is a

European. In the Branch Pilot Service, out of 18 Pilots not one is an Indian, 6 of them being locally appointed. Of the 15 Master Pilots, none is an Indian though one has been appointed locally. Of the Junior Pilots, who are 3 in number, all are Europeans appointed in England. All the Mate pilots are Europeans and appointed in England. All the Leadsmen Apprentices are Europeans. I submit, Sir, that the Hon'ble Member in charge of the Marine Department should blush with shame at this state of things. I would also like to know what the non-official European members of this House think of this state of things.

Everyone knows that the people of the Chittagong Division have a great aptitude for seafaring and navigation in general, and yet we find not a single Indian officer in the Port establishments of the Province. The reason is not far to seek: it is that we have not got the facilities for equipping ourselves with the necessary technical qualifications. The Government of India have provided a training ship called the *Dufferin* for training Indian boys in the science of navigation, but the provincial Government have not provided such facilities. I want an answer from the Hon'ble Member in charge of the Marine Department as to why they have not provided such facilities. Does he think that Indians—I mean Bengalis—have got no aptitude for learning the science of navigation? Is he not aware of the fact that the people of the Chittagong Division can give a very good account of themselves, if they could only get the necessary facilities? They have shown their mark as serangs, sukanis, and in other capacities. What are the duties of the Captain, the Engineer, the First Officer of a seagoing vessel? Are they not of the same nature as those of the serangs, etc.? Who is responsible for this state of things? Who is responsible for this absolute absence of Indian officers in the Marine Department of Government?

Last year, the budget estimate under this head was Rs. 5,91,000; this year the budget estimate is Rs. 4,90,000 (voted) and Rs. 78,000 (non-voted). Last year, the Hon'ble Mr. Marr, replying to the motion of Mr. S. C. Bose, which has been referred to by my friend Srijut Radha Gobinda Ray, said:—

"..... Details have been given in the budget, and I may mention at the outset that this sum does not contain one single rupee of expenditure in connection with the Calcutta Port Trust. The whole of this grant goes towards the pay of the clerical and other establishments under the Marine Department of Government, and towards the maintenance of the Government launches. As far as the establishment is concerned, it contains the crew establishment of the launches, the clerks in the Port and Shipping Office, Chittagong, the Government Dockyard at Narayanganj, and the establishment of the Agent for Government Consignments. Now, in all this establishment, there is

only one European and the others are all Indians. So, I may presume that as far as this demand itself is concerned, no complaint lies. The complaint, I take it, lies altogether against the Calcutta Port Trust, and all the speeches up to now have been on these lines."

Sir, I respectfully venture to submit that this statement was as inaccurate as any statement can possibly be. If the amount of Rs. 5,91,000 budgeted for last year, and the sum of Rs. 4,90,000 budgeted for this year, do not include the salaries of the Port Officer, the Pilots, and the other officers given in the Civil List, I do not know from what funds their salaries are paid. (Laughter).

Then with regard to motion No. 534, Government have not yet informed us as to what they propose to do regarding the question of the appointment of the Committee which was recommended to this House in resolution No. 1, moved in February last. The notice of this resolution was given by Maulvi Khorshed Alam Choudhury, though it was moved in this Council by Mr. J. C. Gupta on the 6th of February last. That resolution recommended to Government that a Committee consisting of some members of this House should be immediately formed to examine the working of the Steamer Service in the districts of the Dacca, Chittagong, Rajshahi and Presidency Divisions managed by the Indian General Navigation and Railway Company, Ltd., and Rivers Steam Navigation Company, Ltd., with special reference to—

(*a*) convenience in accommodation on board, for passengers in general and female passengers in particular, in the different classes;

(*b*) fares charged for the passengers of the different classes in consideration of the distance travelled;

(*c*) advisability or otherwise of transmitting goods by passenger steamers; and

(*d*) waiting accommodation, gangways and landings in different ghats.

It is high time that Government expressed their opinion on the proposal for a Committee. Mr. Philip, in replying to this resolution on behalf of the Joint Steamer Companies, gave us some assurance of a round-table conference consisting of three members, but I can assure him that a round-table conference of three members only will not satisfy the general public. Government have nothing to lose by the appointment of this Committee. The Hon'ble Mr. Marr, who is in charge of the Marine Department, knows fully well that the dissatisfaction regarding the working of the Steamer Companies is very general and very widespread. It behoves him to see to it that the fair name of his department is not tarnished, and to appoint a Committee to examine the various aspects of this matter, and so clear up the reputation of

his department. We are not asking for any concessions or privileges, we only want an impartial examination of the various inconveniences felt by the public using these Steamer Services.

To sum up, Government should provide adequate facilities to young Indians for learning the science of navigation, either by establishing a nautical college or by providing a training ship for the purpose. They should also appoint a Committee immediately to consider the question raised in the resolution of Maulvi Khorshed Alam Choudhury in February last.

I submit that the time has already come when these matters should be earnestly taken in hand.

With these few words, Sir, I beg to move the three motions standing in my name.

Srijut BIJAY KUMAR CHATTERJEE: Sir, I beg to move that the demand of Rs. 4,90,000 under the head "27.—Ports and Pilotage" be reduced by Re. 1 (on the ground that the public has no confidence in this department and that invidious distinction is made between Indians and Europeans).

I shall be very brief in my speech. I wish only to press on Government the point that we should be given superior appointments in all branches of the administration of the Port Trust. At present, Indians are excluded entirely from many departments in the Port Trust. They are also excluded from all superior services. Prior to the year 1921, the Member of the Board of Revenue was ex-officio Chairman of the Port Trust. Then, the post of Chairman was created with a salary of Rs. 5,000 per mensem and a house allowance of Rs. 1,000 per month with a motor car and other allowances which brought the salary up to about Rs. 7,000 to Rs. 8,000 per mensem, which is much more than the emoluments of Hon'ble Members of the Executive Council, and even more than the salary of the Governor of a small province like Assam or the Central Provinces. Indians are excluded rigorously from all higher appointments. There are 20 officers drawing more than Rs. 500 per month, and of them only two are Indians. Of the 60 officers drawing from Rs. 300 to Rs. 600 per month, only four are Indians, the majority of them being Anglo-Indians without education and without any qualifications whatsoever. Indians with qualifications of a very high order, brilliant graduates of the Universities and scions of respectable families are not thought fit to have these appointments. In the Accounts Department, out of all the officers drawing Rs. 40 to Rs. 500 per month, only two are Indians. In the River Survey Department, probationers are recruited only from Anglo-Indians—Indians being excluded from that department as well as from the superior posts in the Engineering Department. No Indian has yet been given the post of an Executive

Engineer or Assistant Engineer. The Assistant Engineers are recruited mainly from among Europeans. They start on Rs. 750 and rise to Rs. 1,050 per month, whereas the Indian Engineers get only Rs. 300 per mensem.

Now, Sir, capital expenditure up to the year 1914 was about Rs. 10 crores per annum. It has now increased to about Rs. 29 crores per annum, although traffic has not substantially increased. We thus find from these figures that the Port Trust is not run on economical lines. It is not unknown to the public that Government are running the Port Trust on lines which are against the wishes of the people, as they have excluded the Indian from a large number of departments and from superior posts up till now.

With these words, Sir, I beg to move my motion.

The Hon'ble Mr. A. MARR: Mr. President, Sir, as I said last year, while speaking under this head, the sum which we ask for does not contain a single rupee of expenditure in connection with the Calcutta Port Trust, or, I may add, in connection with any of the Departments of the Central Government. Babu Nagendra Nath Sen seems to contend that he knows the budget better than I do, and says that I am wrong! Sir, I leave him to point out to me any specific item, which will prove his contention.

Since last year, the position as regards the Port Trust has changed considerably. The Government of India have decided to have a Central Department at Delhi, which will control all the major ports and Port Trusts in India. The change in control started with Karachi; that work has been finished. Karachi has altogether come under the Government of India. Chittagong was next taken up and that Port has been brought under the Government of India also, and the local Governments have nothing whatsoever to do with these ports; their correspondence is directly with the Government of India. The Government of India have now taken up the Port of Calcutta. I may mention that four days hence every Department of the Port of Calcutta will have been taken over by the Government of India, except the Pilots, who, on account of certain arrangements still to be made, will have to remain for some time longer under the agency control of the local Government, though they also constitute a Central subject now. The only other item which has been left with the local Government by the Government of India is the general powers of control given to the local Government by the Port Trust Act, and I can inform this House that these powers will remain with the local Government only until an amending Act goes through the Central legislature. We may take it, therefore, that this will be the last Council that will have anything to do with either of the two major ports in Bengal.

Most of the speakers spoke on the subject of Indianisation of the various services under the Calcutta Port Trust. Every service they mentioned is a service under the Central Government—a service with the recruitment to which the local Government have no powers of interference whatsoever. In our budget under this head, we have only 2 Europeans, viz., the Engineer-Superintendent of the Narayanganj Dockyard, and the Engineer and Ship Surveyor at Chittagong. All the others are Indians—serangs, secunnis, lascars, clerks, etc., every single one of them is an Indian with the exception of these two Europeans.

3-30 p.m.

It appears to me that this meets the point.

Babu Nagendra Nath Sen in motion No. 533 raised the question of facilities being given to Indians for learning navigation by providing a training ship and establishing a college. If he only refers to item 6 of Schedule I to the Devolution Rules, he will find that this is purely a Central subject and we have no power whatever to take any action in regard to this matter. Then, Sir, one speaker mentioned the fact that the Government of India have started such a scheme by providing a training ship, viz., the *Dufferin* in Bombay.

The first examination for selecting candidates will be held this year in June in Delhi. Candidates from all provinces will get an opportunity of sitting for the examination there. If they pass they will have to do 9 months on the *Dufferin* in Bombay, and if their work there is satisfactory, they will be sent to England where they will receive special training for two years. Those choosing the Engineering side will be apprenticed with Engineering firms in England and Scotland to learn marine engineering work. Until this experiment has had a trial, it appears to be much too early for other ports in India to ask for similar schemes to be begun. All candidates from all provinces will receive equal treatment on the *Dufferin* and afterwards.

Babu Nagendra Nath Sen in motion No. 534 refers to the fact that the committee recommended to be constituted by Resolution No. 1 of the present session of the Council has not been so constituted. I may mention, Sir—I have just had the file brought up and have gone through it—that we have decided to go through the Act and the rules framed thereunder, and examine them very critically to see what improvements or amendments should be made. As far as we can see at present improvements are mostly necessary in the rules regulating the grant of certificates of survey of inland ships. I can assure this House that these rules and the sections under which they are made are being thoroughly examined and we hope later on

to have them further examined by the Ship Surveyor and redrafted. I do not think I have anything else to say. As I have said before, all the other points raised in the debate deal with Central subjects over which we have no control.

The following motion of Srijut Radha Gobinda Ray was then put and lost:—

"That the demand of Rs. 4,90,000 under the head '27.—Ports and Pilotage (Reserved)' be reduced by Rs. 10,000."

The following motion of Srijut Nagendra Nath Sen was then put and lost:—

"That the demand of Rs. 4,90,000 under the head '27.—Ports and Pilotage' be reduced by Rs. 100 (to draw attention to the fact that the number of Indians in the service is very small)."

The next motion of Srijut Nagendra Nath Sen was then put and a division taken with the following result:—

AYES.

Afzal, Maulvi Syed Muhammad.
Ahamad, Maulvi Kasiruddin.
Bagchi, Babu Romes Chandra.
Banerjea, Dr. Pramathanath.
Banerjee, Babu Promotha Nath.
Bose, Babu Bejoy Krishna.
Chakraburtty, Babu Jatindra Nath.
Chatterjee, Srijut Bijay Kumar.
Hoque, Kazi Emdadul.
Hussain, Khan Bahadur Maulvi Syed Maqbul.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Maiti, Babu Mahendra Nath.
Moitra, Srijut Jogendra Nath.
Mukerjea, Srijut Taraknath.
Nasker, Babu Hem Chandra.
Pal Choudhuri, Mr. Ranjit.
Rahman, Maulvi Shamsur-
Ray, Srijut Radha Gobinda.
Roy, Babu Manmatha Nath.
Roy, Mr. D. N.
Sen, Srijut Nagendra Nath.

NOES.

Blair, Mr. J. R.
Cassells, Mr. A.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Cohen, Mr. D. J.
Dash, Mr. A. J.
Drummond, Mr. J. G.
Forrester, Mr. J. Campbell.
Fyfe, Mr. J. H.
Ghose, Mr. M. C.
Ghosh Maulik, Mr. Satyendra Chandra.
Guha, Mr. P. N.
Garner, Mr. C. W.
Hogg, Mr. G. P.
Hopkyns, Mr. W. S.
Hussain, Maulvi Latafat.
Jenkins, Dr. W. A.
Maguire, Mr. L. T.
Marr, the Hon'ble Mr. A.
McCluskie, Mr. E. T.
Mitter, the Hon'ble Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. N.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Philip, Mr. J. Y.
Rauf, Maulvi Syed Abdur.
Ray, Babu Surendra Nath.
Rose, Mr. C. F.
Roy, Mr. Bijoy Prasad Singh.
Sarker, Rai Sahib Rebati Mohan.
Sattar, Khan Bahadur Abdus.
Stapleton, Mr. H. E.
Tate, Major General Godfrey.
Travers, Mr. W. L.
Twynam, Mr. H. J.
Wordsworth, Mr. W. C.

The Ayes being 22 and the Noes 35 the following motion was lost:—

"That the demand of Rs. 4,90,000 under the head '27.—Ports and Pilotage' be reduced by Rs. 100 (to draw attention to the fact that facilities should be given to Indians for learning navigation by providing a training ship and establishing a college)."

The following motion of Srijut Nagendra Nath Sen was then put and lost:—

"That the demand of Rs. 4,90,000 under the head '27.—Ports and Pilotage' be reduced by Rs. 100 (to draw attention to the fact that the Committee recommended to be constituted by Resolution No. 1 of the present session of this Council should be forthwith constituted)."

The following motion of Srijut Bijay Kumar Chatterjee was then put and lost:—

"That the demand of Rs. 4,90,000 under the head '27.—Ports and Pilotage' be reduced by Re. 1 (on the ground that the public has no confidence in this department and invidious distinction is made between Indians and Europeans)."

The motion that a sum of Rs. 4,90,000 be granted for expenditure under the head "27.—Ports and Pilotage" was then put and agreed to.

30.—Scientific Departments.

The Hon'ble Mr. A. MARR: Mr. President, Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 22,000 be granted for expenditure under the head "30.—Scientific Departments."

The following motion was called but not moved:—

Babu AKHIL CHANDRA DATTA: "That the demand of Rs. 22,000 under the head '30A.—Donation to Scientific Societies' be reduced by Re. 1 (to criticise the general policy)."

The motion of the Hon'ble Mr. A. Marr was then put and agreed to.

31.—Education (Reserved).

MEMBER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. A. MARR): On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 12,25,000 be granted for expenditure under the head "31.—Education (Reserved)."

Sir, as regards the motions for the reduction of the grants which have been put in, I may say that this particular budget covers not only European and Anglo-Indian education, but also our expenses on the Hazaribagh Reformatory School and on the Reformatory and Industrial School at Alipore. European schools with the exception of two Government institutions at Kurseong are maintained by private parties, mostly by religious communities, to provide education for boys

and girls of the domiciled community, and Government help them as their funds permit. There has been a net decrease in the demand for European and Anglo-Indian education (secondary) in comparison with the figures for the current year. The major portion of the money for primary education is meant for the backward classes among the domiciled community, and much as it may seem desirable to raise the grant, the financial conditions of Government do not permit of a larger grant being made this year.

3-45 p.m.

The following motions were called but not moved:—

Babu AKHIL CHANDRA DATTA: "That the demand of Rs. 5,54,000 under the head '31A.—Education (Reserved)—Secondary' be reduced by Re. 1 (to criticise the general policy in regard to Secondary schools)."

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 4,50,000 under the head '31B.—Education (Reserved)—Primary' be reduced by Re. 1 (to discuss the insufficiency of the grant)."

Babu AKHIL CHANDRA DATTA: "That the demand of Rs. 4,50,000 under the head '31B.—Education (Reserved)—Primary' be reduced by Re. 1 (inadequate provision)."

Babu AKHIL CHANDRA DATTA: "That the demand of Rs. 1,69,000 under the head '31C.—Education (Reserved)—Special' be reduced by Re. 1 (to discuss the policy on which fund is administered)."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 12,25,000 under the head '31.—Education (Reserved)' be reduced by Rs. 3,55,000."

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 12,25,000 under the head '31.—Education (Reserved)' be reduced by Rs. 95,000."

Babu BIJAY KUMAR CHATTERJEE: I beg to move that the demand of Rs. 12,25,000 under the head "31.—Education (Reserved)" be reduced by Re. 1 (on the ground that public has no confidence in this Department).

Sir, we the Indians always feel that there should not be any separate schools or institutions for the education of these Europeans and

The following motion of Srijut Nagendra Nath Sen was then put and lost:—

"That the demand of Rs. 4,90,000 under the head '27.—Ports and Pilotage' be reduced by Rs. 100 (to draw attention to the fact that the Committee recommended to be constituted by Resolution No. 1 of the present session of this Council should be forthwith constituted)."

The following motion of Srijut Bijay Kumar Chatterjee was then put and lost:—

"That the demand of Rs. 4,90,000 under the head '27.—Ports and Pilotage' be reduced by Re. 1 (on the ground that the public has no confidence in this department and invidious distinction is made between Indians and Europeans)."

The motion that a sum of Rs. 4,90,000 be granted for expenditure under the head "27.—Ports and Pilotage" was then put and agreed to.

30.—Scientific Departments.

The Hon'ble Mr. A. MARR: Mr. President, Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 22,000 be granted for expenditure under the head "30.—Scientific Departments."

The following motion was called but not moved:—

Babu AKHIL CHANDRA DATTA: "That the demand of Rs. 22,000 under the head '30A.—Donation to Scientific Societies' be reduced by Re. 1 (to criticise the general policy)."

The motion of the Hon'ble Mr. A. Marr was then put and agreed to.

31.—Education (Reserved).

MEMBER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. A. MARR): On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 12,25,000 be granted for expenditure under the head "31.—Education (Reserved)."

Sir, as regards the motions for the reduction of the grants which have been put in, I may say that this particular budget covers not only European and Anglo-Indian education, but also our expenses on the Hazaribagh Reformatory School and on the Reformatory and Industrial School at Alipore. European schools with the exception of two Government institutions at Kurseong are maintained by private parties, mostly by religious communities, to provide education for boys

gladly see all Education managed together and who dislike this divergencies in administration. But I think there is no justification for saying that the public has no confidence in this department and I will remind those in the House who have forgotten the fact that this department is not only a European Education Department but concerns also all the Education of two districts of Bengal which have not been drawn under the general system of diarchy. The European schools themselves are quite aware of the difficulties which this divergence of administration brings about. They show themselves very generous in the admission of Indian boys and girls, and they in their practice and in their outlook are adjusting themselves more and more to what we call Indian Education in that they are taking the examinations of the University of Calcutta and becoming year by year more closely associated with that controlling institution and with other institutions in this province. I hope, therefore, that the mover of this resolution will not press the matter.

Mr. L. T. MAGUIRE: I will just reply to one point in the mover's speech, that is, the reason which he has ascribed for the existence of separate schools for European and Anglo-Indian children. He seems to think that the reason these schools exist is because the community does not care to mix with the Indian community. He is entirely wrong. As far as I understand the situation the reason for having separate schools for the Anglo-Indian and European children rests in the fact that their education is fundamentally on a religious basis. At least half of this community belongs to the Church of Rome and the Canon Law of the Church of Rome demands that the children of the Roman Catholic Church shall be educated in Roman Catholic schools, and, therefore, we have several Roman Catholic religious orders that have opened schools in India to provide this education for the children that belong to their fold. I think I am perfectly correct when I state that almost every religious denomination in India has schools which cater for the children belonging to its particular religion. Government have only provided for two schools and one special school for teachers. The rest of the education is practically private enterprise, and I think I am perfectly correct when I state that this private enterprise is almost entirely due to the various religious bodies belonging to the Church of Rome, the Church of England and the other Protestant religions that run these schools. I think my Hindu and Muhammadan friends on the opposite side of the House will admit that education must have its foundation in religion. It is the Hindu belief: it is the Muhammadan belief, and I do not think either of these religions will deny to the Christians a similar belief. I would ask my friend the mover to remove entirely from his mind the opinion he at present holds because it is not the reason why separate schools exist. The true reason is that

our education must have its foundation rooted in religion. The whole atmosphere must be religious and it is for that reason that we have these separate schools.

Babu MANMATHA NATH ROY: I do not follow the logic of the last speaker. It has been suggested that the division into reserved education and transferred education is justified, as in the case of European Education it is based upon religion. I cannot but point out that the same is true also in the case of education of Hindus and Muhammadans which is not in any way divorced from religion. It would be absurd and strange to point to religion to justify this invidious distinction and to maintain the two departments of Education—one on the Reserved side and the other on the Transferred side. I do not at this stage take into account the different scales of grant that is made in these two departments. No doubt the European schools have their difficulties and perhaps without these grants at their disposal they would not be able to carry on their work. But at the same time it must be remembered that the Indian schools have also their difficulties, and I do not find any reason why a distinction between the two types of schools should be maintained and why their difficulties should not be considered together. Mr. Wordsworth has told us that some years ago in a Committee of this House it was resolved that there should be a separate department for Education of Europeans. Sir, whatever might have been the conditions in the past it is time that this invidious distinction should be put an end to now. We feel that our cry here on this side of the House is a cry in the wilderness. I have never seen an instance of Government accepting an amendment to a demand. There are about eight hundred amendments to the demands, but not in a single instance the Government has accepted or yielded. The Government must always believe that it is infallible. I cannot, however, remain silent over the present question. The division into reserved education and transferred education is fundamentally wrong and there does not seem to be any justification in continuing this invidious distinction.

4 p.m.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, when I entered this House I had very little notion, so far as this particular subject is concerned, that there would be a sense of dissatisfaction, as has been expressed by Babu Bijay Kumar Chatterjee and Babu Manmatha Nath Roy. It seemed that Babu Bijay Kumar Chatterjee had altogether taken a different ground which had been followed by Babu Manmatha Nath Roy. Babu Manmatha Nath Roy wants to say that

it is fundamentally wrong that education should have two departments, viz., the Reserved side as well as the Transferred side. I think it is rather too late in the day to discuss an issue like that—that is an issue which is not connected with education but with diarchy, and we have discussed it so many times, that I think that it would be better to leave this question out from education. Babu Bijay Kumar Chatterjee has condemned the system on the ground that the public has no confidence in this department. As Mr. Wordsworth has said, he has not told us as to who this public is and who has actually no confidence in this department. Personally for myself, I do think that so far as some of these schools are concerned, they are very expensive institutions, but at the same time I must frankly confess that from the point of real education they are probably the best institutions. I know that it is due to the fact that Government is able to spend more money on these institutions than on others, and therefore they have prospered. If there is any justification as to why there should be an Anglo-Indian school or a Hindu school or a Muhammadan school, I should at once say that there is justification only on one ground, namely, that the method and standard of living and the social way of thinking of Anglo-Indian boys are entirely different from those of average Indian boys. I do not think that it is a matter in which we should complain, as the European has one method of living and the Indians have a different standard. I think one of the reasons why these students have to follow their studies in a separate institution is that they have to work up to a certain standard which they cannot possibly do in an ordinary average institution. Personally for myself I think that is the ground why these schools exist, and I consider from the educational point of view that these are some of the best educational institutions. I have also heard from Mr. Wordsworth that in some of these institutions there are not only Anglo-Indian and European boys but also Indian boys. For these reasons, so far as this motion is concerned, I think it is not based on the real position or facts.

So far as the question of the public having no confidence in the department is concerned, no ground has been set forth as to why the public has no confidence, and it is therefore beside the point. On these grounds, I oppose the motion.

The Hon'ble Mr. A. MARR: Sir, both Babu Bijay Kumar Chatterjee and Babu Manmatha Nath Roy raised the constitutional question as to why there should be two sets of educational institutions. It seems to me that Khan Bahadur Azizul Haque has answered this point completely. At the time of the framing of the present constitution, I understand that every province in India agreed that

European education should for the time being be a reserved subject. Whether it should continue to be so will be a matter for the Statutory Commission and Parliament to decide. At present we have to take the facts as they are. I shall not, therefore, enter into the constitutional question. The figures of expenditure for this department will be found on page 65 of the red book, and it will be seen there that there has been a reduction in expenditure this year from last year's figures. The difference is chiefly under the head "Direct grants to non-Government secondary schools" under head B on that page. One reason for this decrease is that building grants to the Loretto Convents at Entally and Asansol had to be provided in the current year instead of next year. So this provision will be omitted from the next year's budget.

As regards the actual work in the department, the mover gave as his reason for criticism that the public has no confidence in the department. I did not hear a single argument adduced in his speech as to why the public should have no confidence in this department, except that there should be one department instead of two. As regards the actual work of these institutions, we have heard Mr. Maguire and Mr. Wordsworth. Mr. Wordsworth has such a special and complete knowledge of the working of these institutions extending over many years that I cannot see that I can add anything more useful to what he has said. As regards the fact of Indians attending these schools, I may mention that one of the rules in regard to Government grants lays down that no grant can be made to any school unless the total number of non-Europeans attending the school exceeds 15 per cent. of the total number of pupils attending the school.

I oppose this motion.

The motion of Srijut Bijay Kumar Chatterjee was then put and lost.

The motion that a sum of Rs. 12,25,000 be granted for expenditure under the head "31.—Education (Reserved)" was then put and agreed to.

31.—Education (Transferred).

The Hon'ble Mr. A. MARR: Mr. President, Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 1,19,51,000 be granted for expenditure under the head "31.—Education (Transferred)."

The details of expenditure for which this grant is asked will be found on pages 192-214 of the printed estimates which are in the hands of members of Council. There is no considerable deviation

from the revised estimates of 1928-29 under this major head, and it is not necessary for me to do anything more than to refer the Council to the details of expenditure proposed.

Srijut TARAKNATH MUKERJEA: I beg to move that the demand of Rs. 3,72,856 under the head "31A.—Education (Transferred)—Recurring grant to Calcutta University" be reduced by Re. 1 (to discuss the insufficiency of the grant).

My object in moving the motion is to draw the attention of the House to the inadequacy of the grant which is given to the Calcutta University. I do not grudge a grant of Rs. 9,39,631 to the University of Dacca but I sincerely feel that so far as the Government of Bengal are concerned, the grant of Rs. 3,72,856 as a recurring grant to the Calcutta University is so hopelessly inadequate that I submit that the House has a right to ask why such a differential treatment is meted out to this premier University of India.

Sir, I say that this neglectful treatment which has been meted out to the Calcutta University systematically for the last few years is such that it demands the serious attention of this House. This shows that the sense of proportion is too much wanting both in the departments of Finance and Education.

Sir, on a perusal of the budget we find that a sum of Rs. 3,12,856 has been granted to the Calcutta University as against Rs. 5,50,000 to the Dacca University for the same purpose.

As regards the non-recurring grant, the Dacca University gets Rs. 3,50,000 while the Calcutta University gets only Rs. 19,128. Sir, as one representing a school of thought which has taken no part in educational controversy or any University politics, I sincerely feel that the greatest injustice has been done to the Calcutta University. Am I to believe that the Government of Bengal is so absolutely ignorant of the true state of affairs in the Calcutta University that a sum of Rs. 19,128 as against Rs. 3,50,000 to the Dacca University is considered sufficient for the upkeep and development of the Calcutta University.

Sir, I am not at all connected with the Calcutta University except that I am proud of the fact that I have studied under its banners. But I have thought fit to raise a voice of protest for the simple reason that we all want that the Calcutta University, which owes its present position to the untiring and lifelong devotion and services of late Sir Ashutosh of hallowed memory and other patriotic Indians, should be allowed to thrive and prosper, we only want that it should get a just and equitable treatment. Bengal and the whole of India are proud of this University and so we demand that the grant to this University should be just as it should be to meet its absolute requirements.

Sir, the appointment of the Post-graduate Enquiry Committee too has given rise to a great suspicion into the minds of the public that the Government is bent upon curtailing the numerous activities of the Post-graduate departments and such uniform and systematic and utterly insufficient grants to the Calcutta University year after year in spite of the repeated protests by the members of the House will naturally lead us to believe that Government is really following such a course.

I hope, Sir, the hon'ble members of the House will rise equal to the occasion and shall once again record their protest against such an act of injustice on the part of the Government by supporting this motion.

Srijut NAGENDRA NATH SEN: I beg to support the motion which has been moved by Babu Taraknath Mukerjea. Whenever the question of a recurring grant to the Calcutta University crops up, one is apt to make a comparison with the recurring grant which is made to the Dacca University, and such a comparison is certainly and always odious. We never grudge the amount which is granted to the Dacca University for its upkeep. The Dacca University functions in a small area, whereas the Calcutta University functions in a very large area, and in view of the difference between these two grants, the insufficiency of the grant to the Calcutta University becomes at once apparent. Government certainly do not think that a recurring grant to the Dacca University is out of all proportions to its demands. If that is so, the demand of the Calcutta University upon the generosity of the Government of Bengal should be correspondingly greater and the Bengal Government should devote a larger amount annually for the upkeep of the Calcutta University. Comment is sometimes made in different quarters as regards the expenditure incurred by the Calcutta University with regard to the Post-graduate departments. Whatever others may think, I do think that the premier University in India should establish and maintain a Post-graduate department in which every branch of learning should be taught without any regard to the amount of cost involved in it. It may be in some branches there may be one student in one year and that the amount of expenditure is out of proportion to the number of students. But that is not the point. The question of cost should not be compared with the number of students. A premier University should be above all these monetary and financial considerations. Now, after the abolition of the Ministry we see that the Finance Member is in charge of the educational portfolio. We are, however, apt to think that the Hon'ble Member has got a step-motherly love for the Calcutta University. We think that the recurring grant to the Calcutta University should be commensurate with its requirements. Because the Calcutta University does

not get a sufficiently large amount of money from the Government, I am sorry to say that it has gradually degenerated itself to a shop-keeper's establishment.

4-15 p.m.

A number of fees have been instituted which students must pay. First of all, there is the registration fee which every student has got to pay after his Matriculation examination, if he wants to proceed to higher studies. I do not know what possible justification there could be for the Calcutta University to demand these fees, unless it be that its financial position is very precarious. I will not go into the other fees that the Calcutta University have to realise from the students. The general administration of the University is very deplorable owing to financial stringency. If the Government would only be a little generous and come to the help of the University by making grants for its just and legitimate requirements, then the outlook of the University authorities, so far as these oppressive fees are concerned, will be changed.

With these few words, Sir, I support this motion.

Babu BEJOY KRISHNA BOSE: Sir, I do not wonder that Government have not got much liking for the University of Calcutta. Year after year, come out of its portals numbers of disaffected graduates, M.A.'s, lawyers, etc., who always give trouble to Government. It is no wonder that the European members and the Government do not like this University, which every year imparts training to people many of whom when they come out of it enter public life. I am not going, Sir, to complain about the inadequate recurring grant made by Government to the Calcutta University. I am not going to compare the grants made to the Calcutta University with the larger grants that are made to other smaller Universities. That is patent from a perusal of the budget itself, *vide* page 194. But, Sir, there is one fact to which I should like to draw the attention of Government. It is this: whereas the University applied for a recurring grant of 3 lakhs of rupees per annum for five years in order to put itself on a stable financial basis, the Government sanctioned not Rs. 3 lakhs, but only Rs. 2,43,000 which they gave for two years. The University had to find the balance of Rs. 57,000 per annum from its income from the Post-graduate department in order to carry on its ordinary work. This demand of Rs. 3 lakhs per annum was indeed a very modest demand; it was the smallest amount with which the University could have been satisfied, but yet the Government did not grant Rs. 3 lakhs. But, Sir, though the Government knew very well that they never gave Rs. 3 lakhs a year to the University yet I find in the Convocation speech made by His Excellency, for which no doubt materials were supplied by Government officers, who are also His Excellency's advisers———

[At 4-20 p.m. the Council was adjourned for prayer and it reassembled at 4-35 p.m.]

Babu BEJOY KRISHNA BOSE: Before the adjournment, Sir, I was speaking of the insufficiency of the grant and the unsympathetic attitude of the officers of Government in the Education Department. I have already stated that the demand for Rs. 3 lakhs per year for five years was a very modest one, and that Government did not accede even to this modest request. What seems to me, Sir, to be very strange, are the facts which were placed before His Excellency by his officers in the Education Department; otherwise His Excellency could not have said what I shall quote presently from his Convocation speech. He said: "For many years now the University has been unable to balance income and expenditure, and a succession of deficit budgets has alarmed all those who wish it well. Four years ago, the assistance of Government was obtained, and an annual grant of 3 lakhs of rupees was promised for a term of years. But, in spite of this, there have been deficits and the burden of debt is still growing." Now, Sir, there are two inaccuracies in the passage which I have quoted and for which I blame the Education advisers of Government. As a matter of fact, Rs. 3 lakhs were never given year after year, as was stated by His Excellency. As I have said already, Rs. 57,000 a year had to be taken from the Post-graduate income to meet the expenses of the University. Then, it was said by His Excellency "…..in spite of this there have been deficits and the burden of debt is still growing." It is news to me that the Calcutta University has got any debt. As a matter of fact, the Calcutta University is not indebted to anyone to the extent of one pice———

Mr. PRESIDENT: Why are you referring to His Excellency's speech?

Babu BEJOY KRISHNA BOSE: I am referring to this on account of the unsympathetic attitude of the Education Department, which is displayed in the fact that His Excellency was furnished with wrong facts and figures by his advisers. These facts were placed before him———

Mr. PRESIDENT: Mr. Bose, if I were to allow you to pursue that point, I am afaird I shall be giving you an opportunity of criticising His Excellency's speech. You can utilise the information you have in a different way, without referring to His Excellency's speech at all.

Babu BEJOY KRISHNA BOSE: I have no intention of criticising His Excellency's speech.

Mr. PRESIDENT: Your remarks are misleading.

Babu BEJOY KRISHNA BOSE: I have said from the very beginning that it is the Education Department which must have furnished wrong information to His Excellency as regards the Calcutta University, namely, that it is in debt, etc. The Calcutta University has never been in debt. Such a statement might mislead some members of this House for purposes of voting, though it has absolutely no foundation in fact.

With these few words, Sir, I support this motion in order that the grant to the Calcutta University might be increased, and I hope that the Hon'ble the Finance Member, who is also temporarily in charge of the Department of Education, will see his way to find more money for the Calcutta University from savings in other departments.

The Hon'ble Mr. A. MARR: Sir, I think this House will forgive me if I am not very conversant with the facts and figures regarding this department. I have only recently taken temporary charge of it, and I have to be guided in all these matters by other people and depend on their help. I also feel that there are experts on educational matters in this House—especially at that end—who know a lot more about the working of the University and other educational institutions than I do. However, I shall try my best.

Mr. PRESIDENT: But that side is well balanced by your side, Mr. Marr. (Laughter.)

The Hon'ble Mr. A. MARR: I hope so, Sir. All the speakers this afternoon have complained of the inadequacy of the grant to the Calcutta University, and have especially drawn comparisons between that grant and the grant to the Dacca University. Government in the past, in spite of its financial difficulties and its inability to discharge its responsibility for primary education, have contributed considerable sums towards the expenses of the Calcutta University, over and above their responsibility for the maintenance of certain professorships, inspection, etc. For example, Government gave Rs. 2 lakhs and a half in 1922-23, just over Rs. 3 lakhs—to be more precise Rs. 3,03,250—in 1923-24, and just over Rs. 2 lakhs in 1924-25, simply to meet the deficits in the fee fund of the University. Mr. Bose in his speech referred to the point that Government had promised the University Rs. 3 lakhs per annum since 1925-26. I am informed that a grant of Rs. 3 lakhs per annum was never promised to the University, but that since 1925-26 Government have been contributing Rs. 2,43,000 per annum, with a contingent liability of Rs. 57,000, *i.e.*, a total of Rs. 3 lakhs. This contingent liability was to be called

upon, I understand, if the receipts from fees fell short of certain amount. It was called upon this year, and I am certain it will have to be called upon again next year. Last year, Government paid over to the University Rs. 4,36,949 for its recurring expenditure in various directions.

4-45 p.m.

I may also mention that grants for University education include Rs. 30,30,249 spent on Government Arts colleges and Rs. 4,30,000 given to aided colleges. All that forms part of Government's contribution to the University. I should like to remind the House that under the present financial arrangements which were come to between the Government of Bengal and the Calcutta University—arrangements which, I understand, the University authorities agreed to—this financial settlement is to continue until March 1930. At the expiry of that month the present settlement will cease and the whole situation will be examined again both by the Education Department of the Government and by the expert advisers of the University. I understand that that is the present position and the continuation of the settlement or its modification will be the result of that examination. If that is so, then I think it is rather premature to bring up this subject in connection with next year's budget. It would be more appropriate if it were brought up next year in anticipation of the renewal of the financial settlement. I would also like to remind the House that it is impossible for us to give the Calcutta University all that we should like to give. The House knows very well the financial difficulties of this province and our activities must be curtailed accordingly. I oppose these motions.

Dr. PRAMATHANATH BANERJEA: May I say a few words, Sir?

Mr. PRESIDENT: I do not think you can speak after the Hon'ble Member in charge of department concerned has replied.

The following motion of Srijut Taraknath Mukerjea was then put and lost:—

"That the demand of Rs. 3,72,856 under the head '31A.—Education (Transferred)—Recurring grant to Calcutta University' be reduced by Re. 1 (to discuss the insufficiency of the grant)."

The following motion was called but not moved:—

Babu NALINIRANJAN SARKER: "That the demand of Rs. 7,82,000 under the head '31A.—Education—Transferred—Grants to Universities' be reduced by Rs. 101 (to discuss the Government's policy with reference to the administration of the Calcutta University)."

Babu MANMATHA NATH ROY: I beg to move that the demand of Rs. 7,82,000 under the head "31A.—Education—Grants to Universities" be reduced by Rs. 100 (to discuss the question of the financial position of the University and extent of grant to it).

During the debate on the demands in the last two years we found it necessary to bring to the notice of this House the standing majority which the Government and the bureaucracy have secured in the working of the University and the ease with which the bureaucracy has been ruling in the University. Notwithstanding the views which were firmly and definitely expressed in this House during the debates on the last two occasions, the Government has continued to play the same game. It was only a month ago that we had before us two non-official Bills which were introduced into this Council by two non-official members of this House. The principal object of these two Bills was to bring to an end the system of nomination which has enabled the Government to secure this standing majority, but the Government by a manœuvre secured the shelving of both these Bills. It may also be remembered that the two Bills were ripe as the Select Committee had submitted its report on those two Bills and the Bills could have been placed on the statute book in February last. The Government had given the undertaking on various occasions in the past to bring about this much needed reform in the constitution of the University. As a result of the present Government manœuvre the position, however, is this: We are nearing the end of this Council and we may meet possibly once more only in July or August, and there is no chance either of these two Bills or the Government Bill, which is in an incomplete form—it is nothing but a report published over the name of Dr. Jenkins—being passed; so we cannot modify the constitution of the University during the life-time of the present Council; the matter must stand over till the next Council and nobody knows what may happen during the next Council, whether the same manœuvre will be played by Government with a view to perpetuate the bureaucratic régime in the University. My friend Mr. Bejoy Krishna Bose has referred to a certain aspect of the financial question in respect of the grant to the University.

It may be known to this House that the last financial settlement between the Government and the University was made in the year 1925-26; that settlement was for 5 years, so the question of the revision of that settlement will come up very soon, and what strikes me most prominently is that Government is now making misrepresentations with a view to prejudice the public mind against the University. I see from the printed minutes of the Syndicate for the 15th March, 1929, that Government wrote to the University on the 4th February, 1929, and these are the words of the Government letter: "That the Government of Bengal note that expenditure in excess of

income has been sanctioned for several years with the result that all closing balances are now shown in deficits." Government also enquired whether it was the intention of the University to take any action by which future expenditure would be reduced to correspond to probable income. I do not know upon what materials Government came to this conclusion, and it seems to me that this misrepresentation is responsible for that portion of the speech of His Excellency the Chancellor which was brought to the notice of this House by Mr. Bejoy Krishna Bose. The Syndicate of the University had asked the Board of Accounts to draft a reply to that letter, and the Board of Accounts, consisting of three members, one of whom is an ex-Accountant-General of Bengal, drafted a reply, from which I quote the following:—

"From the facts and figures detailed above, the Vice-Chancellor and the Syndicate feel that there is no justification for the remark made in your letter under reply, that expenditure in excess of income has been sanctioned for several years with the result that all closing balances are now shown in deficit."

The letter also contains a subsequent passage: "The statement made by His Excellency is likely to create misgivings in the minds of the public and the members of the Legislature, on whom rests the responsibility to vote for any future grant to the University. It will perhaps not be possible now to entirely eradicate such misgivings from the public mind, but the Vice-Chancellor and the Syndicate request that, after receipt of the detailed explanation regarding the present financial position of the University, you would kindly place the matter together with a copy of the last Audit Report of the Accountant-General, Bengal, before His Excellency, with such remarks as you may choose to make, so as to remove from his mind the impression he expressed at the last Convocation address."

The way in which this matter was dealt with by the University is also suggestive for I find in the proceedings of the Syndicate that a member thereof who is one of the pillars of Government there moved that "all references to His Excellency the Chancellor's speech be omitted from the letter." This motion was however lost and we find that the draft as finally approved contains this: "It is possible that the same misapprehension underlies the following statement made by His Excellency the Chancellor in his recent Convocation address: For many years now the University has been unable to balance income and expenditure and a succession of deficit budgets has alarmed all those who wish it well." All this I cannot but characterise to be a misrepresentation calculated to prejudice the public mind.

The next question which strikes me is the way in which the Post-graduate department has been dealt with by the Government during

the last few years. The most recent achievement of the Government majority in the University has been to secure a Committee, called the Post-graduate Reorganisation Committee, for the purpose of examining the questions arising in the Post-graduate department. Such committees following each other at such frequent intervals cannot but inspire terror and irritation in the minds of the members of the department.

Khan Bahadur Maulvi AZIZUL HAQUE: On this motion is it relevant to discuss the finances of the Calcutta University?

Mr. PRESIDENT: I do not understand your point at all.

Khan Bahadur Maulvi AZIZUL HAQUE: His motion is for the reduction of the grants to the Universities and has little to do with the finances of the Calcutta University.

Mr. PRESIDENT: This motion is broader than what you suppose it to be and is certainly wider in its scope than the one which preceded it. It will, however, save the time of the Council if the member does not traverse the grounds which were covered by the mover of the previous motion. He can of course discuss the finances of the Calcutta University to develop his point.

Babu MANMATHA NATH ROY: What I had said before this interruption is that Government with a standing majority in the University have secured the Post-graduate Reorganisation Committee. I wonder how the Members of the Executive Council or the members of the Government Secretariat would take it if Parliament were to appoint a committee every three or four or five years to examine the working of the Executive Council or the Secretariat with a view to reorganisation of the Executive Council or the Secretariat and securing retrenchment therein. That, Sir, cannot have a happy result; it will surely affect the satisfactory and proper working of the Secretariat or the Executive Council. It is known to many of us here that the Calcutta University Post-graduate department has been looked upon as a model by all the other Indian universities.

5 p.m.

The lecturers in this department have been taken by other universities on twice or thrice the pay that they were drawing here with a view to organise the Post-graduate departments in those universities. But, Sir, the Government here has never appreciated the activities of this department. It has always tried to curtail its activities. The truth is this, Sir, that ever since the Post-graduate department came into existence, and ever since the Presidency College had to close its

Post-graduate classes, with the result that Government ceased to have any direct control over Post-graduate teaching, it has become an eye-sore to the Government and the activities of the Government during recent years have been largely the outcome of that feeling.

Khan Bahadur Maulvi AZIZUL HAQUE: Mr. President, Sir, being unfortunately a member of the terrorist organisation, viz., the Post-graduate Reorganisation Committee, I think a word or two is needed from me in explanation of the activities of some sections of the Calcutta University. My friend, Babu Manmatha Nath Roy, is a Fellow of the Calcutta University, and I should have expected him, from his seat in the Senate of the Calcutta University when this committee of reorganisation was appointed, to say that this institution was one which was likely to create terror amongst the different sections of the Post-graduate organisation. Sir, I am a new member of the Senate of the Calcutta University, and what I have been able to judge as a member of the Senate and a member of the reorganisation committee is this. Just now a reference has been made to the financial arrangement between the Government of Bengal and the Calcutta University, and, as has been announced by the Hon'ble the Finance Member, this financial arrangement is likely to be terminated in 1930 by an agreement arrived at between both the parties. The whole question of the reorganisation of the Calcutta University, so far as its financial position is concerned, is likely to be looked up both by the University and the Government with a view to seeing how far Government would be prepared to give an enhanced grant to the University. I do not belong to that school which thinks that the Calcutta University should not get more money. During the budget discussion last year, when Babu Manmatha Nath Roy was perhaps absent, and other representatives of the University did not raise any voice, I was the only member to say that the Calcutta University should get an enhanced grant to maintain itself. But, Sir, I am surprised to find that at a time when the University is entering into a discussion as to how to stabilise matters both as regards efficiency and the quality of the work done by chucking away things unnecessary or undesirable, my friend instead of raising a voice of protest has taken advantage of his position in this House by characterising this reorganisation committee as a terrorist organisation. I protest as a member of the Senate and as a member of this committee, because I happen to know more details than Babu Manmatha Nath Roy. I say that being cognisant of the facts, I am in a position to give a reply which members of the Senate are not in a position to give in this House. I do not know as yet whether the Government has a majority in the Senate or any other party has a majority there. Sir, it will be an evil day for the University if its affairs are going to be managed by any idea of having a majority one way or other. I

think, Sir, the best way in which the University should be managed is to find out what is in the best interest of the University itself. Personally for myself, I refuse to believe that any member of the Senate of the Calcutta University is actuated by any other motive than to serve the best interest of the University. Sir, I would not have said anything on this subject, but I think that the reform of the Calcutta University is very urgently needed, but on that matter, as my friend knows, there is a great deal of difference of opinion. We have not been able to come to an agreement as to the position of the Muhammadans in the future constitution of the Calcutta University. Personally for myself, I can assure Babu Manmatha Nath Roy that I do not want reforms to be deferred on the score that the question of the representation of the Muhammadans has not been settled, but this is a very important question and it will have to be considered before the question of reform of the University is taken up. At the last meeting of the University when this matter was discussed, it was considered from different points of view. Anyway, Sir, Government has not been able to come to any conclusion so far as this matter is concerned, because there are so many points of difference that it is very difficult to come to any definite conclusion. Sir, I am giving a reply to my friend, Babu Manmatha Nath Roy. He said that the Post-graduate Reorganisation Committee had created a terror in the minds of many of the members of the Senate. I will only conclude by saying that my friend has not yet given us any facts and figures to show how the University organisation is defective, and from that point of view I do not think I can agree with his remarks. I have nothing further to submit except that I would not have risen to speak but for the fact that my friend has made certain remarks about an organisation, no representative of which is present here to give a reply.

Mr. W. C. WORDSWORTH: Sir, Mr. Marr has said that there are several experts in University administration on the other side of the House. Mr. Roy is one of them and Dr. Pramathanath Banerjea is another. Not long ago, separately but simultaneously, they prepared a Bill for the reorganisation of the University. A great deal of time was spent over those Bills, and meantime Government, stirred into action by these Bills, set themselves to prepare a more comprehensive measure. Not long ago we were faced with a very difficult situation. A Bill was ready for the Council, prepared by the Select Committee, yet it was obvious that Government was opposed to the Bill on certain grounds and other members on separate grounds; and particularly one great party was opposed to it, because the Select Committee had brought in the question of special representation on communal principle. The Bill was not withdrawn, but held over, and I admit my partial responsibility in this matter, because I used what little

influence I may possess in persuading the mover not to press it at that moment, because the Bill itself was certain to be rejected by the joint opposition of Government and those others who objected to communal representation in the Senate. I do not know whether Mr. Roy, whose Bill was covered by Dr. Pramathanath Banerjea's Bill, is in any way annoyed over that. I hope not, I believe not, but he has used language to-day which suggests that there is a tradition of continued hostility between Government and the University. I hope that language of that sort, which once upon a time was assiduously cultivated, will not be heard any more. There is no reason to suspect Government of any want of sympathy with the University. It would be folly on the part of Government not to be on the very best of terms with the University. Government knows what position the Calcutta University occupies in the eyes of the people of other provinces, and what place it occupies in the hearts of the people here. Nothing, I imagine, would give Government greater pleasure than to be able to satisfy the demands of the University. Mr. Marr has told us of the difficulties of finance and we need no illustration on that point. We are all of us acquainted with those difficulties. The University is doing very fine work. Mr. Roy's remarks seem to suggest that he fears that the University Post-graduate department will be attacked, or is being attacked or has been attacked. I cannot imagine that any attack will be made upon it in this House, and I would gladly pay a warm tribute to this department, because I have a very high admiration of the work that is being done there. But since no attack has been made or will be made, I think Mr. Roy has no need of any further comment on that. For the rest, the University must play a very important part in the sentiments of the people of Bengal and the activities of this Council; for the universities in India play a larger part in all affairs than they do in any other country with which I am acquainted. In other countries they are just the coping stone of the educational system, but here in Bengal they are the one avenue to higher walks of life: no man can be a doctor or a lawyer or a Government clerk in the higher ranks or an engineer unless he has passed through the University. All *bhadralog* boys have to pass through the high schools controlled by the University and then through the colleges and then go to the University itself in the Post-graduate classes if they want still higher education. It is practically impossible for any one to become even a member of the Legislative Council without having a university education. That is a disability from which we do not suffer in my own country.

5-15 p.m.

I, therefore, hope that Mr. Roy will be ready to believe that there is a genuine endeavour to bring about amicable working between the

Government of a great province and a great University, and I trust that no decision of this House will be taken which will render the best possible relations difficult of attainment.

Dr. PRAMATHANATH BANERJEA: As one intimately associated with the administration of the Calcutta University I am deeply grateful to those members of this Council who have said encouraging words regarding the University, and who have shown their sympathy with the aims and objects of the University. I am also deeply grateful to Mr. Wordsworth who represents the important European group for the very appreciative remarks that he has made with regard to the work of the Post-graduate department of the Calcutta University. These discussions show that the representatives of the people of Bengal, to whatever race or creed they may belong, desire that the Calcutta University should be treated in a just and proper manner.

Sir, Mr. Marr has just given certain figures relating to the grants which have been made to the University in recent years. Now Mr. Marr is a just and fair-minded person, and I appeal to him to consider whether those very figures are not proof that the Calcutta University grants have been extremely inadequate? I do not wish to enter into the details of University finance; nor is it my desire to make a comparison of the grants which have been made to the Calcutta University with those which have been made to the other Universities whose sphere of work is much more restricted and limited than that of the Calcutta University. But, Sir, what I demand is that the grants to the Calcutta University should be placed on a statutory basis and that such grants should be adequate. In the province of Bengal we have two Universities. One University, whose scope of activities is circumscribed within a 5-mile radius, has been granted on a statutory basis an annual recurring sum of 5½ lakhs of rupees. Now what I demand is that the Calcutta University should also get at least the same amount on a statutory basis, and, if necessary, further non-recurring grants should be made in order that the Calcutta University may function, as it ought to, as the premier University in India.

Babu JITENDRALAL BANNERJEE: Sir, I cannot help remarking that so far as the question of University reform is concerned, Government is not playing and has not played the game. When Dr. Pramathanath Banerjea introduced his Bill it was against the wishes and sympathy of the Government. But all the same the Council gave him permission to do so. Later on, when Dr. Banerjea proposed that the Bill be referred to the Select Committee, the Government was again hostile and unsympathetic; but in spite of their want of sympathy and pronounced hostility, the Council was in favour of the Bill being referred to a Select Committee. Now that the Select Committee has finished its business after devoting a good deal of time and attention.

to it, the Government, as Mr. M. N. Roy has remarked, has shelved it by a sort of questionable manœuvre. They say that they have got their own Bill, but they know perfectly well that their Bill cannot be introduced, or, if introduced, cannot be passed within the lifetime of this Council. So, by a disingenuous manœuvre to which they have resorted for the purpose of avoiding the unpleasant necessity of reforming the present administration of the University, they have managed to shelve the Bill. In this connection I cannot help referring to the unfortunate fact that some of my Muhammadan friends persist in bringing the question of communal interest even as regards the University matters.

Mr. PRESIDENT: Mr. Bannerjee, I do not want you to refer to communal interests.

Babu JITENDRALAL BANNERJEE: Sir, I do not understand exactly what is it that you ruled out of order.

Mr. PRESIDENT: The mover of this motion wanted to discuss the financial position of the University. I gave him and those who followed him some latitude in discussing various matters which affect the financial position of the University because I did not want to stifle discussion; but, I cannot allow communal questions to be raised in this debate.

Babu JITENDRALAL BANNERJEE: May I ask for your guidance one question? May I not refer to the Post-graduate department of the University, seeing that the financial position of the University is closely connected with the administration of the Post-graduate department?

Mr. PRESIDENT: I have already said that members will be permitted to refer to matters which affect the administration or financial position of the University.

Babu JITENDRALAL BANNERJEE: What I feel is this. The grant is more or less connected with the Post-graduate department and therefore a reference to the administration of that department would be relevant. So far as that is concerned, I differ entirely from Mr. M. N. Roy, namely, in respect of his glowing eulogy upon the work of the Post-graduate department. I have nothing to say about the Science side of the department not being conversant with scientific lore; but so far as the Arts Department is concerned, I say that a more miserably manned and inefficient department does not exist anywhere. It is a scandal and a standing disgrace to the University and no

increase of Government grant can be justified for the purpose of maintaining this department. In Arabic, we are told that there are teachers of Arabic who cannot read the question papers if printed in Arabic script. There are teachers of the Pali and Hindi who, so far as their qualifications are concerned, would not deserve to be undergraduates of any decent University. So far as my own subject of English is concerned, the less said about it the better. There are 11 professors for that subject—engaged in the teaching of one subject alone. A book of 60 pages occupies one of those professors two years to finish it. Sometimes half a dozen of them are engaged in teaching one subject or even a fraction of a subject. It is good, therefore, that a Committee has been appointed for the purpose of investigating the whole subject. One of the remarks of Mr. M. N. Roy is peculiarly unfortunate. He asked what would the Executive Councillors feel if Parliament were to appoint a Commission every three or four years for the purpose of overhauling the machinery of the Government? Sir, I do not know what the Executive Councillors might think about it, but I am quite sure that the people would welcome the appointment of such a periodical Commission. Similarly, I do not know what the teachers of the Post-graduate departments themselves may feel about it, but the public outside will certainly welcome the appointment of a Committee for the purpose of investigating its affairs. I only hope that when the Enquiry Committee has finished its business and has submitted its recommendations, those recommendations will not be shelved in the manner in which the recommendations of a previous Committee were shelved. If you appoint a Committee it is necessary that you should give effect to the suggestions of that Committee. I hope this wholesome rule will now be followed irrespective of the personal predilections of the members of the University.

The Hon'ble Mr. A. MARR: Mr. President, Sir, I think all the points have been discussed very fully, and I shall refer to them very shortly. Mr. M. N. Roy mentioned his Bill on University reform which he introduced, and he accused Government of manœuvring to shelve that Bill. Mr. Jitendralal Bannerjee also has some grave suspicions against Government in this connection. I am afraid I cannot see how Government can be accused of this as Dr. P. N. Banerjea and Mr. M. N. Roy introduced their Bills for University reform about the same time. Dr. Banerjea's Bill has been proceeded with, it being made clear to Mr. M. N. Roy that if he wanted to, he could move his Bill again later on. Dr. Banerjea's Bill was referred to a Select Committee, and it came back from the Select Committee somewhat amended and with a number of minutes of dissent. When an opportunity was given to Dr. Banerjea to move his Bill, for reasons which were personal to him, he did not move the Bill and at the same time he did

not withdraw it. So it is still alive. In the meantime Dr. Jenkins was put on special duty to go into this question with a view to an official Bill being drafted. I understand that is the present position, and that his draft Bill is pending before a Committee of the University itself. Surely this House cannot expect Government to go on with this Bill without waiting for this Committee to express its opinion fully. That is the present position.

We have heard a good deal about the Post-graduate department this afternoon. As regards the working of that department I must leave it to the experts on both sides to come to an agreement amongst themselves in the lobby. The University itself realised that the income of the Post-graduate department would most certainly exceed expenditure by March 1930 and they did want to know what would have to be done about this matter then. For this reason the University appointed its own Post-graduate Reorganisation Committee, and I understand the appointment of this Committee was by a practically unanimous vote. This Committee will submit its report to the University, and the University will consider that report in connection with the new financial settlement which is to be made after March 1930. Until that is done, it is useless discussing matters at this stage.

Dr. Banerjea and Mr. Wordsworth both were complimentary as regards the present relations between the University and the Government, and I hope that these relations will continue on these pleasant lines. Dr. Banerjea argued that the grant which Government gave to the University is inadequate, and that it should be on a statutory basis and be adequate. He cited the case of Dacca University. I feel that this is a matter which ought to be left for discussion in connection with the new financial settlement. As I said before, we are quite prepared to admit that we do not give the University what we should like to give, but the same remark applies to all other departments under Government.

5-30 p.m.

The last point that I should like to refer to is what Babu Manmatha Nath Roy calls "misrepresentation" as regards a letter from the Bengal Government to the University. Mr. Bejoy Krishna Bose mentioned this in his speech on the previous motion, and it was my omission that I did not refer to it then. This mistake was due to a misunderstanding, and I can assure the Council that there was no ground in this letter of any action by Government which could give rise to a misapprehension or mistake on the part of those interested in the well-being of the University. The object of this letter—I am going to read it in a few moments—was to obtain the opinion of the University on what is required for the future stabilisation of its

finances—that is a point with which the University is even more intimately concerned than Government. This is the letter:—

"To The Registrar, Calcutta University,

I am directed to acknowledge the receipt of your No. enclosing a copy of the Budget Estimates of the Calcutta University for the year 1928-29, as passed by the Senate. The Government of Bengal in the Ministry of Education note that expenditure in excess of income has been sanctioned for several years with the result that all closing balances are now shown in deficit."

The letter goes on to say:—

"I am to request that Government may be informed if the situation thus disclosed has the attention of the Senate and the Syndicate, and if any action is contemplated by which future expenditure will be reduced to probable income."

I think, Sir, it is quite clear from that letter that all we wanted to do was to draw the attention of the Senate and the Syndicate to the fact that income and expenditure should balance. What is the expression objected to? It was that expenditure in excess of the income had been sanctioned for several years with the result that all closing balances are now shown in deficit. When we spoke of all closing balances, the mistake was that the temporary reserve fund was not taken into account. When we were examining the working of the University, we were simply taking normal income against normal expenditure. It is correct that normal income has not met normal expenditure during the last few years, but the deficits were met out of surpluses at the credit of the temporary reserved fund. Therefore, taking that fund into account the working showed a surplus. It must be realised, however, that the temporary reserve fund can only last a certain time. When it is exhausted, the normal income will not be up to the normal expenditure. This is what the Government wished to draw the attention of the Senate and the Syndicate to. I am sorry, Sir, for the misunderstanding, but I welcome this opportunity of explaining the matter. I oppose these motions.

Babu MANMATHA NATH ROY: Sir, may I put a question by way of explanation?

Mr. PRESIDENT: Mr. Roy, you cannot put any question by way of explanation. If you want information of an urgent nature, you can do so by putting a simple question.

Babu MANMATHA NATH ROY: May I enquire, Sir, if the temporary reserve fund is created by the income of a particular year?

The Hon'ble Mr. A. MARR: Yes. The temporary reserve fund has roughly an annual income of Rs. 40,000. But my point is that

even taking that amount into account unless something is done to retrench expenditure, the whole of that amount will also be exhausted.

Mr. PRESIDENT: The issue which is involved in this motion has been made somewhat obscure by the speeches to which we have listened in the course of the debate. Only two speeches, I mean those of Dr. Banerjea and the Hon'ble Mr. Marr were confined to the real point under discussion. I had better say that the issue involved in the motion is whether the House should or should not express dissatisfaction at the proposed Government grant having regard to the present financial position of the University.

The motion of Babu Manmatha Nath Roy was then put and lost.

Mr. PRESIDENT: I propose to take up motions Nos. 554 to 558 together. Khan Bahadur, you can move all the motions that stand against your name and make one speech on them.

Khan Bahadur Maulvi AZIZUL HAQUE: I move that the demand of Rs. 14,08,000 under the head "31.—Education (Transferred)—Government Arts Colleges" be reduced by Rs. 1,000.

I also move that the demand of Rs. 4,45,000 under the head "31A.—Education—Grants to Non-Government Arts Colleges" be reduced by Rs. 30,000.

I will not deliver any speech, but I will briefly give the reasons which have prompted me to move these motions. First of all I wish to draw the attention of the House to the fact that owing to uncertainty of service conditions in the Provincial Educational Service to-day there is a good deal of difficulty before the members of the Bengal Provincial Educational Service. The fact is that Indian Educational Service recruitment has been practically stopped and in the latest Civil List I find that out of 53 posts in the Indian Educational Service normally as many as about 32 posts are vacant. Nothing has yet been done, so far as I have been able to gather, to create a superior educational service which I understand the department is pledged to. The result is that it has caused a very bad effect in the Provincial Educational Service. The Provincial Educational Service cadre consists of 222 posts. Now, we shall be astounded to hear that out of these 222 posts, there are 18 vacancies and 60 officiating and temporary arrangements, and some of these temporary and officiating arrangements have been for several years past. Surely in Government service everybody expects a certain amount of fixity, and I wonder the ingenuity with which the department has been able to fill up the columns so far as the officiating appointments are concerned. In as many as 60 cases a professor of one particular college is shifted to another college and thereafter he is shifted to a paper appointment———

Babu JITENDRALAL BANNERJEE: On a point of order, Sir, I fail to see the relevancy of the Khan Bahadur's remarks. The motion refers to non-Government Arts Colleges, but he is dealing with Government Education Service.

Khan Bahadur Maulvi AZIZUL HAQUE: I think my friend is hopelessly impatient———

Mr. H. E. STAPLETON: On a point of order, Sir. May I point out that as far as I could hear the Khan Bahadur, he only moved two motions. Is he going to refer to the other two motions? He has not moved them.

Khan Bahadur Maulvi AZIZUL HAQUE: I moved only motions Nos. 554 and 555. I did not move the other two motions, nor do I propose to move them. So far as my friend Babu Jitendralal Bannerjee is concerned, I think he is hopelessly impatient or is very hasty for the reason that he altogether forgets that there is a motion standing in my name which refers to Government Arts Colleges. I was showing that out of 222 posts in the Provincial Educational Service, 18 vacancies have been filled up, and so far as 60 posts are concerned, they are officiating and temporary arrangements, and some of these temporary arrangements have existed for the last few years. I do not understand this principle of the Education Department by which an appointment is made in one college and thereafter the officiating appointment is given to another college and at the next moment the man is transferred to a third college. Surely there must be a certain amount of ingenuity, but I think in the interest of the laymen this sort of system ought to be put an end to as quickly as possible. If there is no intention to have any superior educational service, that decision should be arrived at quickly. On the other hand, if there is any such intention, that decision should be arrived at quickly. In any case there is no reason why officiating appointments should be allowed to remain in the Provincial Educational Service or for the matter of that in the Indian Educational Service, and the question of the settlement of the recruitment to the superior educational service should be settled quickly. That is my first point.

My second point is the question of the Islamia College and its staff. So far as the Islamia College and its staff are concerned, I think, if I remember aright, that it was the original intention of Government to recruit as its Principal a distinguished gentleman from this country or from any other country. But nothing has yet been done in this matter and a decision should be arrived at whether this college should have a permanent Principal.

My third point is the question of the high seat rent charges in all Government hostels attached to the Government colleges under the Government of Bengal.

My fourth point is want of hostel accommodation in the Krishnagar College. I would only refer to this matter because I want the Government to realise its sense of proportion. So far as this college is concerned—I think I am not giving any new information to this House—it has been administratively sanctioned by the Government several years ago—His Excellency also said some years ago that it was administratively sanctioned. But thereafter I find somehow or other this college is not able to secure the grant of money which is not more than Rs. 15,000 to Rs. 16,000 for a Muhammadan hostel in a district which is perhaps the most backward district from the Muhammadan point of view in the whole of Bengal. I will just now refer to motion No. 555. In doing so I find that Government has given no accommodation to the students of a Government college which has been administratively sanctioned, while Government is going to give a capital grant to the St. Paul's College for the construction of quarters for the college staff. What I maintain is that if quarters for the college staff are to be provided—I do not question it and I think the college staff should be provided with quarters—that should be given only after the students have been provided with hostel accommodation, and I want to know whether Government has lately enunciated the principle of providing professors' quarters before they can look after the entire hostel accommodation for the students.

5-45 p.m.

The second point that I was speaking on was that a grant of Rs. 60,000 could not be provided for the Krishnagar College Muhammadan hostel, although I find that a grant of Rs. 12,008 is going to be given to the Krishnath College, Berhampore, which is a private institution. There is also a capital grant to the Scottish Churches College for improving the playing fields. Now, Sir, surely I could understand that some grant is necessary for providing playing fields for a school or a college but to grant money for the improvement of playing fields by deferring a scheme for hostel accommodation in a school is a thing which I could not understand. These are the reasons which have prompted me to move these motions and I think the Hon'ble Member-in-charge will admit in his reply that the demands which I have put forward are reasonable from the point of view from which I look at the question.

Then, Sir, I will speak on the paucity of Muhammadans in the Provincial Educational Service. I am not raising a communal question and I would be the last man to do so. But there is one matter to which I would draw the attention of the House and that is

that in the whole Provincial Educational Service, barring gentlemen who are professors or lecturers in Persian or Arabic or superintendents or principals of Madrassahs, there are not more than about three persons in the whole Provincial Educational Service from amongst the Muhammadan community. I want the Government to realise these facts and say whether or not we are justified in our claims that there should be a certain number of Muhammadans in the Provincial Educational Service provided good and competent Muhammadans are available, and I do maintain, Sir, that at the present day competent Muhammadans are available.

The following motions were called but not moved:—

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 4,45,000 under the head '31A.—Education—Grants to Non-Government Arts Colleges' be reduced by Rs. 15,426."

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 4,45,000 under the head '31A.—Education—Grants to Non-Government Arts Colleges' be reduced by Rs. 2,000."

Mr. H. E. STAPLETON: Sir, my friend the Khan Bahadur has launched such a volley of criticisms upon Government that it is rather difficult to reply at a moment's notice to them all or to find the references to questions which were apparently not covered by the motions he moved. However I will try my best to deal with the points raised by him.

Firstly, he asked regarding the steps taken in connection with the formation of a superior Educational Service. As the House is aware, recruitment to the Indian Educational Service was closed I think in 1924. Government took some time to decide what was to be done in connection with a new service to replace the Indian Educational Service, but in 1925 or 1926 we were asked to put forward proposals for the formation of a new Grade I Service. This necessarily took some time. The new service is intended to replace exactly the Indian Educational Service, so far as posts of that Service are concerned, and deals almost entirely with special posts. The Khan Bahadur will be glad to know that definite and, so far as the Director is concerned, final proposals were sent up to the Government last year. Government will of course have to look very carefully into these proposals because the proposals that are made by each province have to be correlated by the Government of India so that there may not be too great differences between the proposals put forward by the different provinces regarding this new Grade I Service. It will necessarily take some time before the final orders of the Government can be obtained on these proposals. I am sure, however, that the local

Government will do everything they possibly can to expedite the submission of these proposals to the Imperial Government so that the troubles that the Khan Bahadur has referred to—the troubles that affect the lower services in the way of acting appointments, which I admit are very real in many cases—will be removed.

As regards the Islamia College Principal, I have not been able actually to refer to the file but I have previously seen the papers in connection with the appointment of a Principal. It is true that it was originally intended to appoint a special Principal from England but owing to the fact that Mr. Harley was available when the College was opened and was willing to take the post of Principal, he was placed in charge of the Islamia College. Mr. Harley by his experience and his past association with Muhammadans has, I believe, given satisfaction to, at all events, the majority of the community that he is endeavouring to serve. I could not gather from the remarks of the Khan Bahadur what his point exactly was, but the fact remains that Mr. Harley was appointed Principal and, so far as I know, there is no proposal to recruit any Principal from England to take his place.

The Khan Bahadur then touched on the question of high seat-rents in hostels. This is a matter regarding which Government have in the past laid down a certain definite policy, namely, that as far as possible hostels should be self-supporting. I shall be very glad to show the Khan Bahadur any papers on the subject containing the Government orders, and after consulting these he will find that so far as the Muhammadan community is concerned—as well as, I may add, girl students—they have been very leniently dealt with by the Government up till now; and I do not think there can be any real cause of complaint in connection at all events with Muhammadan students and Muhammadan hostels.

Then he referred to the Krishnagar College Muhammadan Hostel. The history of this case is that four years ago the attention of Mr. Oaten was drawn to the fact that a small number of Muhammadan students were residing in the bazar at Krishnagar and it was suggested, I think by the Khan Bahadur, that provision should be made for a hostel to accommodate them. The matter went forward and proposals were finally approved by Government two years ago. It was not found possible to include that proposal in the present budget, but at all events I can assure the Khan Bahadur that I will do my level best to press the matter through as early as possible.

He objected, I think, in the same connection to the acquisition of land for a hostel for the Bethune College.

Khan Bahadur Maulvi AZIZUL HAQUE: No, I did not say that.

Mr. H. E. STAPLETON: I beg your pardon. I must have misunderstood what was said. Then the Khan Bahadur dealt with the question of paucity of Muhammadans in the Provincial Educational Service. This matter has been discussed—I will not say *ad nauseum*, because it is an inappropriate phrase—but it has been discussed very thoroughly in the past and possibly it will come up again to-day. Under the recent orders of Government for future recruitment 45 per cent. of the candidates who are appointed to Government service should be Muhammadans. We are doing our level best to improve the proportion of Muhammadans and I think that the figures that have been quoted are slightly exaggerated. I cannot check them but I am doubtful if they are correct.

There are two other things that he mentioned, namely, that instead of devoting money for the provision of funds for the Krishnagar College Muhammadan Hostel which, I think, is intended to accommodate 15 students in all, Government have been lavishing money in supporting the claims of St. Paul's College for the re-erection of certain very dilapidated quarters for the staff, and for improving the playing fields of the Scottish Churches College. I am sure that if the Khan Bahadur had gone to either of these places and seen them for himself he would not have brought this matter before the House. In the case of St. Paul's College he would have found that St. Paul's College is amply provided with accommodation for students but in the case of professors they were only accommodated in a very dilapidated and tumble-down building which I think was erected about 150 years ago. It was a scandal that this building had not been replaced long before and Government have now come forward with a very small sum of money towards the cost of rebuilding it. The rebuilding has been completed and I went round it the other day and it is a very fine building. If the Khan Bahadur will go down and see what they have done—what fine buildings they have set up not only for the staff but also for their students he will find that they are finer than can be found in most colleges elsewhere.

Then as regards the playing field for the Scottish Churches College, possibly it is a misdescription in the budget as to what is being done. I knew myself that for a long time past this College has had a very fine site on the other side of the Canal for the benefit of its students. Everybody knows that the Scottish Churches College has a very large number of students and that it is therefore in very urgent need of a good playing field. Dr. Watt, the late Principal, raised a very large sum of money to fill up a very large tank on the site, but Government, so far as I know, have not contributed very largely in the past towards this scheme. The authorities only wanted a small amount of money to complete the scheme of filling the tank and levelling the ground. They had no more money and they

asked Government for a small amount which was granted. If the Khan Bahadur will go and look at the playing field I am sure he would be quite satisfied that the money has been very well used.

The following motion of Khan Bahadur Maulvi Azizul Haque was then put and lost:—

"That the demand of Rs. 14,08,000 under the head '31.—Education—Transferred—Government Arts Colleges' be reduced by Rs. 1,000."

The following motion of Khan Bahadur Maulvi Azizul Haque was then, by leave of the Council, withdrawn:—

"That the demand of Rs. 4,45,000 under the head '31A.—Education—Grants to Non-Government Arts Colleges' be reduced by Rs. 30,000."

The following motion was called but not moved:—

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 4,45,000 under the head '31A.—Education—Transferred—Grants to Non-Government Arts Colleges' be reduced by Rs. 100 (to raise the question of the inadequacy and unfair distribution of such grants)."

The following motion was not put as it was covered by the foregoing decision of the Council:—

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 30,06,000 under the head '31A.—Education—University' be reduced by Re. 1 (on the ground that Calcutta University ought to get more than is at present given to it)."

The following motions were called but not moved:—

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 10,40,000 under the head '31B.—Education (Transferred)—Secondary—Government Secondary Schools—Pay of Officers' be reduced by Rs. 100. (Paucity of Moslems in the teaching establishment)."

Maulvi ABDUL KARIM: "That the demand of Rs. 12,93,000 under the head '31B.—Education (Transferred)—Secondary—Government Secondary Schools' be reduced by Rs. 5 (to discuss the question of deprovincialisation of Government secondary schools)."

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs. 15,85,000 under the head '31B.—Education (Transferred)—Secondary—Direct grants to non-Government Secondary School' be reduced by Rs. 100 (to draw attention to the inadequacy of grants to secondary schools)."

Babu MANMATHA NATH ROY: "That the demand of Rs. 15,85,000 under the head '31B.—Education—Direct grants to non-Government Secondary Schools' be reduced by Rs. 100 (to discuss the policy in the matter of proposed Secondary Board)."

Maulvi ABDUL KARIM: "That the demand of Rs. 15,85,000 under the head '31B.—Education (Transferred)—Secondary—Direct grants to non-Government Secondary Schools' be reduced by Re. 1 (to discuss the general policy of Secondary Education in Bengal with a view to get the prevailing system so modified as to suit the present day requirements of the people)."

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 28,78,000 under the head '31.—Education—Secondary Schools' be reduced by Rs. 31,000."

Khan Bahadur Maulvi AZIZUL HAQUE: I beg to move that the demand of Rs. 28,78,000 under the head "31.—Education—Secondary Schools" be reduced by Rs. 2,000.

In moving this motion my intention is to draw the attention of the House to the fact that though Government schools are supposed to be model institutions yet at the present time they have got a very small number of staff. The inadequacy of staff in Government schools is a perfect scandal to-day and I think the attention of Government should be drawn to the fact that it is desirable to provide better staff in all Government institutions. I may refer to the Krishnagar Collegiate School from personal experience. It has got a magnificent building and also immense possibilities for future development, but unfortunately the present staff is such that when a teacher is absent, the headmaster is at his wit's end to devise how the school should go on so far as the lower classes are concerned. I think Government should abandon its policy of retrenchment so far as its secondary schools are concerned, because it affects the future of education in this Presidency.

6 p.m.

At the present moment I find that none of the Government schools has got any staff which can be called leave reserve, and most of these institutions are put to great difficulty whenever any member of the teaching staff goes on leave. Sir, my intention is merely to draw the attention of the House to the inadequacy of staff in Government schools.

Dr. PRAMATHANATH BANNERJEA: On a point of information, Sir. Is this a token cut, or a motion for reduction of the grant.

Mr. PRESIDENT: No, it is not a token cut. It is a motion for reduction.

The following motion was called but not moved:—

Babu KHAGENDRA NATH GANGULY: "That the demand of Rs. 28,78,000 under the head '31.—Education (Transferred)—Secondary' be reduced by Re. 1 (to draw the attention of the Government to its policy towards secondary schools, specially in Howrah)."

Srijut BIJAY KUMAR CHATTERJEE: Sir, I beg to move that the demand of Rs. 28,78,000 under the head "31B.—Secondary Education (Transferred)" be reduced by Re. 1 (on the ground that the Government ought to spend a larger sum on secondary education.

My grounds for moving this is that Government spend money in other departments on a lavish scale, while the Education Department is practically starved. Under secondary education, we understand that primary schools and high English schools are included. If we look at the status and pay of the teachers of primary schools, we find———

Dr. W. A. JENKINS: On a point of order, Sir, primary schools are not included under secondary schools.

Mr. PRESIDENT: You should not refer to primary schools which do not come under the motion before the House.

Srijut BIJAY KUMAR CHATTERJEE: Under secondary schools, high schools are included. The number of high schools in Bengal is much less than what it ought to be. Every subdivision of a district does not possess a high school owned by Government, and Government do not give sufficient grants to private schools. I beg to suggest that Government ought to spend a larger amount of money on secondary education, and more high schools should be established. In each thana there should be such a school. With these words I commend my motion to the acceptance of the House.

Srijut RADHA GOBINDA RAY: Sir, I beg to move that the demand of Rs. 28,78,000 under the head "31B.—Education (Transferred)—Secondary" be reduced by Re. 1.

The object of my motion is to raise a discussion on the indifferent attitude of the Government with regard to secondary schools. Now, Sir, there are two types of secondary schools in Bengal—Khas Government secondary schools and aided Government secondary schools Government spend Rs. 10,40,000 for maintaining 730 teachers in khas Government secondary schools, and Rs. 13,02,000 in all for maintaining all Government secondary schools in Bengal and Rs. 15,85,000

has been allotted for expenditure on 2,805 non-Government secondary schools. Sir, we find that there are 1,741,504 male and female students in the secondary schools of Bengal and we find that Rs. 25,85,000 has been allotted not for maintaining but for giving adequate grants, according to the standard of Government, to these secondary schools. Now, Sir, I had been a teacher in my early life and I am acquainted with the hard lot of the poor teachers who serve in secondary schools. Sir, even in the quinquennial report which has been published by the Education Department, the hard lot of the poor teachers of secondary schools has been admitted and so I submit that Government should spend more money for ameliorating their sad lot. I have a few suggestions to make for the improvement of the prospects of these poor teachers, and I hope Government will sympathetically consider them. Teachers in the secondary schools, especially in Government aided schools, should be promoted to the higher posts whenever there is a vacancy, because I find that raw graduates fresh from the University are placed above experienced and veteran teachers when a vacancy occurs. If the teachers who have served for a long time as lower teachers be promoted according to their efficiency in teaching to the higher posts, then they will get an impetus to improve their culture and learning in the hope that thereby they will better their future prospects. We find in secondary schools that a teacher who has served for 20 or 30 or 40 years in a school remains there all the time, while students who have passed through his hands and ultimately come out of the University are placed over him. Will these 20 or 30 years spent in teaching go for nothing? Perhaps he teaches in the 5th class, and will never be in a position to teach in the next higher class. If this system is introduced, it will help the teachers to improve their culture.

Next, Sir, the teachers should be encouraged to write text books. If those text books are approved, they will be in a position to improve their income. I think Government should consider this suggestion and direct the Text Book Committee to give preference to the books written by school teachers.

Another point is that Government should request the University to appoint examiners from amongst experienced graduate teachers of secondary schools. Sir, by this means also the teachers will be able to increase their income and their sad lot will to some extent be alleviated. We know that teachers of secondary schools engage in private tuition. This private tuition is not looked upon with favour by the Education Department. They are systematically trying to dissuade the teachers from engaging themselves in private tuition. But they cannot do without private tuition because their income is so small that they cannot make both ends meet. Government should ameliorate the condition of these men.

Next, Sir, I must impress on Government the necessity of making adequate grants to these secondary schools. I am acquainted with most of the secondary schools and I can assure you, Sir, that the conditon of most of them is miserable. Though Government now-a-days have increased the grants-in-aid, still I submit that these grants-in-aid should be further increased, otherwise it will not be possible to improve the quality of secondary education in Bengal. With these words I move the motion that stands in my name.

The following motion was called but not moved:—

Babu AKHIL CHANDRA DATTA: "That the demand of Rs. 28,78,000 under the head '31D.—Education (Transferred)—Secondary' be reduced by Re. 1 (to discuss the general policy)."

Dr. W. A. JENKINS: Sir, Khan Bahadur Maulvi Azizul Haque has raised the question of inadequacy of grants to Government secondary schools, and he has instanced the Krishnagar School, as an institution in which the staff is unable to cope with the work. I do not intend to dwell on this point, because it is obvious from the figures that Government do, as a matter of fact, provide adequate funds for the 47 schools which are under their direct control and adequately staff them. Whereas the expenditure on less than 50 Government schools is Rs. 13 lakhs, less than this amount is spent on the 1,000 remaining high schools. Moreover, from perosnal knowledge of many Government schools, I can say that while it may so happen that a particular school at any one time is inadequately staffed, the other schools are adequately staffed. In any case of inadequate staffing matters are set right as soon as the condition of affairs is brought to the notice of Government. In the case of the Krishnagar School, if a representation is made by the head master, I am sure adequate notice will be taken by the department and proper action will be taken to meet the case. On the whole, Government do look after their schools and do provide money for them.

The second speaker, Babu Bijay Kumar Chatterjee, raises the question of the inadequacy of the number of high schools throughout the province. There are in Bengal, at the present moment, about 1,100 high schools. There is hardly any village which has not its own high school. There are high schools in places where their existence can hardly be justified. It is true that there may be areas where facilities for high school education do not exist, but on the whole I submit that no case has been made out for saying that a sufficient number of high schools does not exist in the province. On the contrary, a strong case can be made out that if the number of such schools be decreased and these fewer schools be better aided and the quality of teaching improved, education would be better and children would be more efficiently trained.

The last speaker has complained about insufficiency of funds. It is obvious there are not sufficient funds for any branch of education, and, we agree that judged by the standard of western countries, secondary education is inadequately provided for. But if the resources of the province are taken into account, and if the amount of money spent on education is considered, I submit that no case can be made out for the charge that inadequate funds are provided for secondary education. On the contrary, more money is spent on secondary education than on primary education. The speaker asked that Government should ensure the appointment of the teachers of high schools as matriculation examiners, but, Sir, Government have no authority over the appointment of examiners. He also raised the question of promotion of teachers. Here, also, Government have no authority over secondary schools. It is the University which controls the policy of secondary education, and apart from giving financial grants to aided schools, Government have no control over them. These are questions which he can place before the University, or before the new Secondary Board of Education, if and when it comes into existence. In the meantime Government can do nothing in these matters. Therefore, Sir, I submit there is no substance in these motions for reducing the demand.

The following motion of Khan Bahadur Maulvi Azizul Haque was then, by leave of the Council, withdrawn:—

"That the demand of Rs. 28,78,000 under the head '31.—Education—Secondary Schools' be reduced by Rs. 2,000."

The motion of Srijut Bijay Kumar Chatterjee was put and lost.

The motion of Srijut Radha Gobinda Ray was put and lost.

[At 6-15 p.m. the Council was adjourned for prayer and it reassembled at 6-30 p.m.]

Mr. PRESIDENT: I propose to have one discussion on motions 571 and 582.

Srijut JOGENDRA NATH MOITRA: I beg to move that the demand of Rs. 4,10,000 under the head "31 C.—Education (Transferred)—Primary—Direct grants to non-Government primary schools" be reduced by Rs. 2,00,000.

I move this motion not for the purpose of actually curtailing the grant, but only for raising this important question, i.e., the question of making a special grant for the primary education of the depressed classes of Bengal.

Mr. PRESIDENT: But your motion is for a substantial reduction.

Srijut JOGENDRA NATH MOITRA: My intention is to draw the special attention of Government in this direction.

MR. PRESIDENT: Why not then speak on a subsequent motion of the nature of a token cut instead of moving yours.

Srijut JOGENDRA NATH MOITRA: Very well, Sir, I do not move my motion but with your permission I beg to move the motion standing in the name of Babu Jogindra Chandra Chakravarti which runs as follows:—

"That the demand of Rs. 22,88,000 under the head '31C.—Education—Transferred—Primary—Grants to Local Bodies for Primary Education' be reduced by Rs. 100 (to draw attention to the insufficiency of such grants)."

Sir, while discussing the last year's budget, I drew pointed attention of the Government in this connection. The Education Secretary, Mr. J. H. Lindsay, opposed on the plea that it was difficult to get funds for the depressed classes under the head "European Education" for I made my observations while moving a cut on that head. Mr. Lindsay meant as if he would have made it possible to make a grant had the motion been for a cut on a head on the Transferred side.

Sir, on a close perusal of the budget under review, I am disappointed to find that no provision has been made for the education of the backward or depressed classes of Bengal. It has been admitted by all to be a matter of paramount importance.

The cause of the depressed classes is always championed by the Government ostensibly with the object of raising a plea for not yielding to the national demand of full and complete Dominion Status. But, Sir, the Government, as self-styled advocate of the dumb millions. must needs keep them as perpetually dumb, otherwise, their advocacy will be quite out of place. There are apparently other objects, in keeping the depressed classes in ignorance. They can be very conveniently used for the purpose of fostering class war and for the purpose of presenting their special grievances before a Miss Mayo or a Simon Commission.

We admit, Sir, that the depressed classes have been treated with great injustice by the so-called upper classes of the Hindus. But now the upper classes have realised their mistake and have come forward and removed their disabilities to a considerable extent. They have approached them with a heart full of love and brotherhood. But the proper way of raising their status is by throwing open the floodgate of education. It is with this object in view, I am appealing to the House to agree with me in making a special provision for them. Of course when the Bill for the free and compulsory primary education of Bengal will be passed into law, the necessity for such special grants will cease.

Babu MANMATHA NATH ROY: I beg to move that the demand of Rs. 22,88,000 under the head "31C.—Grants to Local Bodies for Primary Education" be reduced by Rs. 100.

Sir, I brought forward this motion to draw attention to the absolute inadequacy of this grant and also to discuss the policy of the Government in the matter of the Primary Education Bill. I do not know whether it is known to most of us in this House what is the exact amount of the magnificent grant which is given to the gurus or teachers in most of the primary schools. The Government, for the purpose of making grants to the teachers in these primary schools, makes an annual grant to the district boards. It is for this House to say whether the magnificent grant through the district boards of Rs. 2 or Rs. 2-8 or in some cases Rs. 3 for a guru per month is adequate for the maintenance of the guru and his whole family. It is known, Sir, that students in these primary schools cannot and do not pay any fees so the result is that these teachers must be content with that magnificent amount, and with that magnificent amount the teacher and his family are expected to be fed and clothed. I do not know whether this is only an instance or illustration of the duty which the Government discharges in respect of the dumb millions whose cause the Government always professes to further.

The next question is the question of the Primary Education Bill. The Report of the Select Committee on the Primary Education Bill was placed in the hands of the members of this Council yesterday. No doubt that the Bill as presented in this Council is an improvement upon the Bill as originally introduced; but there are some important and vital matters with regard to which the Bill is yet unsatisfactory. The first point which strikes me is the question of the President of the Board. It is a pity that the Select Committee was not of opinion that the President must always be elected. It seems to me and it cannot be denied that this is a retrograde step and it will only remind us of, and carry us back to the days of the official chairman of the district board. No doubt the Select Committee is of opinion that the District Magistrate should not necessarily be the President. But there is no reason why the Government should nominate———

The Hon'ble Mr. A. MARR: On a point of order, Sir. Is the speaker in order in discussing the Report of the Select Committee of the Primary Education Bill under the head "Grants for primary education?"

Mr. PRESIDENT: What have you got to say to that Mr. Roy?

Babu MANMATHA NATH ROY: We know what the Report of the Select Committee is, and when speaking on this motion I cannot forget or pass over what passes in my mind with regard to that matter now.

Mr. PRESIDENT: The Select Committee's report is a property of this House now. The Hon'ble Mr. Marr's objection would have been valid if the report had not been actually presented to the House. I think the member can refer to it.

Babu MANMATHA NATH ROY: The next question which is of vital interest is the incidence of taxation. It appears to me that the Bill, as it stands, is most unfair. The total amount necessary for the purpose has not been ascertained or mentioned. The Government does not also say what share it is prepared to pay. The Government has not yet given any idea as to the proportion of the total amount which it is prepared to give out of its ordinary revenues. Two important matters have not been determined—the total expenditure and the probable share of the Government. So long as there is uncertainty with regard to these matters, it would not be fair to place the incidence of taxation before this House and ask us to vote upon it.

6-45 p.m.

This is a matter, Sir, which appears to me to be of fundamental importance. Another matter which strikes me is the proportion of the elected element on the proposed board. There will be only one member directly elected from each subdivision; and the total strength of a board in some districts may be as many as 25, where there are five subdivisions. It does not seem to be fair, if in a district consisting say of three subdivisions we have only three members directly elected by the union boards, when the total strength of the board will be 17. With these words I beg to present my motion for the acceptance of the House.

Maulvi ASIMUDDIN AHAMAD moved that the demand of Rs. 22,88,000 under the head "31C.—Education (Transferred)—Primary—Grants to Local Bodies for Primary Education" be reduced by Rs. 5 (to discuss the general policy in regard to the grants to local bodies for primary education).

He delivered a speech in Bengali, the English translation of which is as follows:—

"The Government Education Report for the period ending the 31st March, 1926, shows that during that year there were in all

50,523 primary schools in Bengal, containing the total number of 1,650,505 students, including both boys and girls, and the total expenditure came up to Rs. 59,58,807, out of which Government contributed Rs. 15,96,905 and the local bodies the rest of the sum. Thus Rs. 3-12-5 was spent on an average on the education of each boy or girl. There can, therefore, be no denying the fact that this is a very poor expenditure for primary education in Bengal.

This was the state of things three years ago, and these three years must have witnessed the establishment of four or five thousand more lower primary schools in different parts of the country and also an increase in the number of students attending them.

The *pathsalas* and schools of which I am speaking are meant for the children of people who are really very inoffensive and unlettered; the children of peasants and coolies and of the lower classes of people who have no real representatives of their own anywhere, who cannot even hold meetings and conferences or start agitations in order to have their wants and grievances redressed. It is therefore highly necessary that Government should make special provision for the education of such dumb people as they are.

At the time of the last budget discussion, I showed that Government spend fifty times more on European education than what they spend for the children of Bengal. It is not proper that there should be any difference of treatment on the part of Government in these matters.

The teachers of the lower primary schools do not get more than Rs. 3 or 4 per month: students pay no tuition fees—as a matter of fact, if tuition fees were demanded, they would leave off attending school altogether. In these circumstances, how is it possible for teachers to serve on a salary of Rs. 3, 4 or 5 per month? There are also *pathsalas* where teachers do not get more than two rupees and a half. The poorness of their salary and the scantiness of the aid they receive drive them naturally to seek some other occupation and so they cannot pay full attention to the work of teaching. That is why I say that Government should show special favour to these poor village teachers and students, that they should make provision for more money on this head.

My friends who spoke before me have said many things about the Report of the Select Committee on the Rural Primary Education Bill, which was placed before the House yesterday. I shall not waste any time by a repetition of them. Regarding this Primary Education Bill, I want to say this only that, if the people have to pay a tax and if, in spite of this, primary education is not made compulsory, I do not see any necessity whatever for the introduction of this

primary education and think that its introduction by Government should be opposed."

The following motions were called but not moved:—

Mr. SATYENDRA CHANDRA GHOSH MAULIK: "That the demand of Rs. 27,06,000 under the head '31C.—Education (Transferred)—Primary' be reduced by Rs. 100 (to show the delay in launching the scheme of free primary education)."

Maulvi ABDUL KARIM: "That the demand of Rs. 27,06,000 under the head '31C.— Education (Transferred)—Primary' be reduced by Rs. 100 (to discuss the prevailing system of Primary Education and to press for the introduction of universal, free and compulsory primary education without further delay)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 27,06,000 under the head '31C.—Education (Transferred)—Primary' be reduced by Rs. 100. (Free and compulsory primary education and curriculum of studies in primary schools)."

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 27,06,000 under the head '31C.—Primary Education (Transferred)' be reduced by Re. 1 (on the ground that this Council considers that this sum is quite inadequate for the purpose of imparting primary education to the village boys and girls of Bengal)."

Babu KHAGENDRA NATH GANGULY: "That the demand of Rs. 27,06,000 under the head '31C.—Education (Transferred)—Primary' be reduced by Re. 1 (to draw the attention of the Government to its policy towards primary schools specially in Howrah)."

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 27,06,000 under the head '31C.—Education (Transferred)—Primary' be reduced by Re. 1 (to raise a discussion on the attitude of the Government towards primary education)."

Kazi EMDADUL HOQUE: I beg to move that the demand of Rs. 27,06,000 under the head "31C.—Education (Transferred)—Primary" be reduced by Re. 1. (Poor pay of primary school teachers and amelioration of the condition of their service.)

Sir, the question of primary education is the most vital question affecting the people of Bengal deeply. Ninety-nine per cent. of the population in this province are steeped in utter illiteracy. They are

unlettered persons, do not know even the alphabets and have not the capacity to appreciate the value of education. To them education is a meaningless thing. But who is responsible for this state of thing; this utter ignorance on the part of the people? Surely it is the Government, and Government alone—the Government that has been carrying on a most fantastical and luxurious administration at the cost of the poor people of this country for over a century and a half.

Now illiteracy is a great sin, and it must be wiped out of the country. And the Government that has so long been indifferent to the educational needs of the masses is guilty of such sin.

Mr. PRESIDENT: What about the poor pay of the teachers?

Kazi EMDADUL HOQUE: Sir, I shall come to that presently.

Mr. PRESIDENT: You stated that your reasons for moving this motion were to consider the poor pay of primary school teachers.

Kazi EMDADUL HOQUE: That is one among other reasons. (The Hon'ble the President smilingly disapproved by shaking his head.)

Kazi EMDADUL HOQUE: Sir, have I then to restrict myself to that aspect only?

Mr. PRESIDENT: Yes.

Kazi EMDADUL HOQUE: Very well, Sir. I may submit that the very few schools that are maintained now-a-days to meet the educational needs of the masses are not run on proper lines. The primary school teachers get very small pay—petty pittances are allotted for them—pittances so small as not to keep their body and soul together. They get such insufficient reward that it cannot be expected of them that they should throw their heart and soul to the noble task of teaching. Their minds are careworn and with careworn minds they cannot be expected to imprint healthy and lasting influence on the impressionable minds of young boys. If sound primary education is meant to be imparted to the boys of our country then the teachers under whom the young learners should be placed should be given decent pay and my suggestion is that unless the Government improves the condition of the primary school teachers, primary education will not be a success. You may have a teacher for 2 or 3 rupees a month to work. But surely he will then take up that work to eke out his miserable livelihood rather than as a profession. With these words I commend my motion to the acceptance of the House.

The following motion was called but not moved:—

Babu AKHIL CHANDRA DATTA: "That the demand of Rs. 27,06,000 under the head '31C.—Education (Transferred)—Primary' be reduced by Re. 1 (to protest against the inadequate provision for primary education)."

SECRETRY to GOVERNMENT, EDUCATION DEPARTMENT (Mr. A. J. Dash): Sir, I wish to reply first to motion No. 572 on which Babu Jogendra Nath Moitra spoke. He put in the plea that depressed classes should be more favourably treated. As this motion (No. 572) is moved for the purpose of drawing attention to the insufficiency of the grant for primary education, I propose in the first place to explain what the policy of Government is in regard to the needs of primary education: and then to go on to explain how the needs of the depressed classes will be met by Government policy. The general solution of this important question of primary education has been propounded by Government in the form of a Rural Primary Education Bill, which is designed to meet the difficulty caused by the inadequacy of the money available for primary education. If this Bill in more or less in its present form passes through the Council, I submit that the depressed classes will have their problem solved. If this Rural Primary Education Bill is passed, there will be no special disability under which the depressed classes will suffer: they will be treated as other classes are, who at present cannot afford to pay for primary education. This Bill has now passed through the Select Committee stage—the Select Committee has recently reported on it—and the Bill as amended by the Select Committee together with the Select Committee's Report has been presented to the Council and the members of the House are fully aware of the progress that has been made and I venture to suggest that this progress is satisfactory and should satisfy Srijut Jogendra Nath Moitra that all that is possible is being done for the depressed classes for whom he speaks. The Rural Primary Education Bill does not deal with urban areas and perhaps it would be proper for me to explain that the problem of primary education in urban areas has not been neglected by Government. As members of this House know the Act of 1919 enables the urban authorities, the municipalities, to provide for primary education if they can find the funds. It has been suggested from time to time that for various reasons the municipal authorities have not availed themselves of the opportunities which have been given to them under the Act of 1919, whatever may be the cause. I may point out here that a survey is being made of the progress which has been achieved in rural areas and when the reports are received Government will consider what action is necessary in order to provide adequately for primary education in urban areas. Government for the future take

the view that the Rural Primary Education Bill and the survey of progress of education in urban areas represent adequate steps towards the proper treatment of the primary education problem. The existing policy in regard to primary education is to work out what is known as the Biss Scheme in urban and rural areas and I wish to explain now that these schemes require co-operation between Government and the local bodies and it is not on account of any lack of provision of funds by Government that better progress has not been made with these schemes. In 1927-28 an allotment of Rs. 1,25,000 was made but it was not possible to spend more than Rs. 79,000 owing to the difficulties which the local bodies experienced in finding their share of the money and in the current year it is expected that the full allotment will not be worked up to for the same reason. I hope I have been able to explain satisfactorily that it is not on account of the failure of Government to provide funds that the schemes have not made better progress.

Babu Manmatha Nath Roy and Kazi Emdadul Hoque have complained of the low pay of primary school teachers and I only repeat that the remedy which Government have for this is the Rural Primary Education Bill which is designed amongst other things to provide adequate funds for the purpose of increasing the pay of primary school teachers.

Babu Manmatha Nath Roy has made some reference to the details of the Primary Education Bill as amended by the Select Committee. I do not propose to refer myself to those details, I will simply content myself with remarking that there is no reason to suppose that Government will not press forward this Bill. It is not possible now to say in any detail what decision Government will arrive at, but I suggest that this is not the appropriate time to open a discussion on the details of that Bill as the House will in due course have ample opportunities of discussing them after Government have decided what they will put before the House. With these words I beg to oppose the motions for the reduction of the grant under the head "Primary Education—Transferred."

The following motion of Srijut Jogendra Nath Moitra was then put and lost:—

"That the demand of Rs. 22,88,000 under the head '31C.—Education—Transferred—Primary—Grants to Local Bodies for Primary Education' be reduced by Rs. 100 (to draw attention to the insufficiency of such grants)."

The following motion of Babu Manmatha Nath Roy was then put and lost:—

"That the demand of Rs. 22,88,000 under the head '31C.—Grants to Local Bodies for Primary Education' be reduced by Rs. 100. (Primary Education Bill and insufficient grant)."

The following motion of Maulvi Asimuddin Ahamad was then put and lost:—

"That the demand of Rs. 22,88,000 under the head '31C.—Education (Transferred)—Primary—Grants to Local Bodies for Primary Education' be reduced by Rs. 5 (to discuss the general policy in regard to the grants to local bodies for primary education)."

The following motion of Kazi Emdadul Hoque was then put and lost:—

"That the demand of Rs. 27,06,000 under the head '31C.—Education (Transferred)—Primary' be reduced by Re. 1. (Poor pay of primary school teachers and amelioration of the condition of their service)."

The time-limit under the head "31.—Education" having reached the following motions were not put:—

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 1,89,000 under the head '31D.—Education (Transferred)—Special—Training Schools' be reduced by Rs. 100. (Position of Moslems in the teaching staff)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 3,88,000 under the head '31D.—Education (Transferred)—Special—Guru-Training Schools' be reduced by Rs. 100. (Position of Moslems in the teaching establishment)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 1,69,000 under the head '31D.—Education (Transferred)—Special—Madrassahs' be reduced by Rs. 100. (Inadequacy of provision)."

Maulvi ABDUL KARIM: "That the demand of Rs. 1,69,000 under the head '31D.—Education (Transferred)—Special—Madrassahs' be reduced by Rs. 5 (to discuss the defects in the administration of the Calcutta Madrassah and the desirability of amalgamating the post of the Principal with that of the Islamia College)."

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 2,25,500 under the head '31.—Education (Transferred)—Direct grant to non-Government special schools—Madrassahs' be reduced by Rs. 100."

Maulvi SYED ABDUR RAUF: "That the demand of Rs. 2,25,500 under the head '31D.—Education (Transferred)—Direct grant to special Madrassahs' be reduced by Re. 1 (to express dissatisfaction with the inadequate provision for Muhammadan education)."

Babu ROMES CHANDRA BACCHI: "That the demand for Rs. 30,000 under the head '31D.—Education (Transferred)—Sanskrit tôls' be reduced by Re. 1. (The grant is quite insufficient and the motion is intended for recommending increased grant to the Sanskrit tôls)."

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 30,000 under the head '31D.—Education (Transferred)—Direct grant to non-Government special schools—Grant to Sanskrit tôls' be reduced by Re. 1 (on the ground that this sum is quite inadequate for Sanskrit education in Bengal and that while providing Rs. 30,000 only for Sanskrit education Government provides Rs. 2,25,500 for Madrassahs)."

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 3,49,000 under the head '31D.—Education (Transferred)—Direct grant to non-Government special schools' be reduced by Rs. 100 (to call attention to the inadequacy of the grant provided for Sanskrit tôls)."

Maulvi ABDUL KARIM: "That the demand of Rs. 3,49,000 under the head '31D.—Education (Transferred)—Special direct grant to non-Government special schools' be reduced by Re. 1 (to discuss the prevailing system of Madrassah education and the curriculum of studies prescribed for the Madrassahs)."

Srijut JOGENDRA NATH MOITRA: "That the demand of Rs. 3,49,000 under the head '31D.—Education (Transferred)—Special —Direct grant to non-Government special schools' be reduced by Re. 1. (Making inadequate provision for Sanskrit tôls)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 3,49,000 under the head '31D.—Education (Transferred) —Special Direct grant to non-Government special schools' be reduced by Re. 1. (Curriculum of studies followed in Madrassahs)."

Kazi EMDADUL HOQUE: "That the demand of Rs. 13,64,000 under the head '31D.—Education (Transferred)—Special' be reduced by Re. 1. (Want of adequate aid to muktab and quaranic schools and provision for religious teachings)."

Babu BEJOY KRISHNA BOSE: "That the demand of Rs. 31,000 for 'Other Gazetted Officers' under the head '31E.—Education (Transferred)—General' be reduced by Rs. 100 (to raise a debate on the steps taken to impart physical training to young men)."

Maulvi ABDUL KARIM: "That the demand of Rs. 1,45,000 under the head '31E.—Education (Transferred)—General Direction' be reduced by Re. 1 (to discuss the desirability of reduction in the staff of the office of the Director of Public Instruction)."

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 12,13,000 under the head '31E.—Education (Transferred)—General—Inspection' be reduced by Rs. 66,000."

Maulvi ABDUL KARIM: "That the demand of Rs. 12,13,000 under the head 31E.—Education (Transferred)—General—Inspection' be reduced by Rs. 5 (to discuss the undesirability of increasing the Inspecting Staff and to criticise the qualifications of the Inspecting Officers, particularly of the Special Officers for Muhammadan Education)."

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 23,000 under the head '31E.—Education (Transferred)—Rewards and Stipends to Sanskrit tôls' be reduced by Re. 1 (to discuss that the grant is too small)."

Mr. SATYENDRA CHANDRA GHOSH MAULIK: "That the demand of Rs. 19,83,000 under the head '31E.—Education (Transferred) General' be reduced by Rs. 100 (to point out that provision has not been made for the training of teachers in physical training)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 19,83,000 under the head '31E.—Education (Transferred) General' be reduced by Re. 1."

Maulvi SHAMSUR-RAHMAN: "That the demand of Rs. 1,19,51,000 under the head '31.—Education (Transferred)' be reduced by Rs. 1,19,50,999."

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 1,19,51,000 under the head '31.—Education (Transferred)' be reduced by Rs. 100 (to raise a discussion on the general education policy of the Government)."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 1,19,51,000 under the head '31.—Education (Transferred)' be reduced by Rs. 10 (to discuss the policy of Government in regard to grants for educational purposes)."

Mr. S. C. MUKERJI: "That the demand of Rs. 1,19,51,000 under the head '31.—Education (Transferred)' be reduced by Re. 1 (to raise a discussion on the general Education policy in the province)."

Mr. A. K. FAZL-UL HUQ: "That the demand of Rs. 1,19,51,000 under the head '31.—Education (Transferred)' be reduced by Re. 1 (to express disapproval of the Government policy regarding the management and control of the Islamia College, Calcutta)."

Maulvi NURUL HUQ CHAUDHURI: "That the demand of Rs. 1,19,51,000 under the head '31.—Education (Transferred)' be reduced by Re. 1 (to condemn the educational policy of the Government or its want of policy in relation to the education of Moslems and the failure of Government to make any provision for the improvement of Moslem education in the budget)."

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 1,19,51,000 under the head '31. Education (Transferred)' be reduced by Re. 1 (on the ground that this House has no confidence in the present educational policy of the Government)."

Maulvi SYED ABDUR RAUF: "That the demand of Rs. 1,19,51,000 under the head '31.—Education (Transferred)' be reduced by Re. 1 (with a view to express dissatisfaction with the educational policy of the Government, specially the policy of the Director of Public Instruction for Muhammadan Education)."

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 1,19,51,000 under the head '31. Education (Transferred)' be reduced by Re. 1 (on the ground that the Government ought to spend more money on education and on the ground that out of this sum only a small amount is spent on schools, but the major portion on officers and for inspection)."

The motion that a sum of Rs. 1,19,51,000 be granted for expenditure under the head "31.—Education (Transferred)" was then put and agreed to.

Adjournment.

The Council was then adjourned till 3 p.m., on Thursday, the 28th March, 1929, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Town Hall, Calcutta, on Thursday, the 28th March, 1929, at 3 p.m.

Present:

The Hon'ble the President (the Hon'ble Raja MANMATHA NATH RAY CHAUDHURI, of Santosh) in the Chair, the four Hon'ble Members of the Executive Council and 91 nominated and elected members.

Starred Questions.

(to which oral answers were given).

King George's Dock.

*100. **Babu AMARENDRA NATH GHOSE:** (*a*) Will the Hon'ble Member in charge of the Marine Department be pleased to lay on the table a statement showing—

(*i*) the estimated capital expenditure in connection with the construction of King George's Dock;

(*ii*) the amount of the loan sanctioned by the Government for the purpose mentioned in (*i*) above;

(*iii*) the rate of interest payable on such loan; and

(*iv*) the rate of annual contribution to the sinking fund created for the purpose of recoupment of the loan?

(*b*) Will the Hon'ble Member be pleased to state whether the original estimate mentioned in (*a*) (*i*) had to be revised?

(*c*) If so, what is the amount of the estimate on the basis of which the Government sanctioned the loan?

(*d*) What is the amount spent on the construction of the Dock up to the end of March, 1928, and, if possible, up to the date of the opening of the Dock in December, 1928?

(*e*) What is the amount to be spent thereafter up to the date of its completion?

(*f*) Will the Hon'ble Member be pleased to state the amounts of variations, if any, in the actual expenditure mentioned in (*d*) above over the original estimate, specifying clearly therein the circumstances necessitating such variations and also whether the variations were made with the previous sanction of the Government or otherwise?

(*g*) What is the present position of the loan and the sinking fund in connection therewith, specifying whether the interest is being paid out of capital or revenue, and the arrangement for payment of future interest and contribution to the sinking fund after completion of the Dock?

MEMBER in charge of MARINE DEPARTMENT (the Hon'ble Mr. A. Marr): (*a*) A statement is laid on the table.

(*b*) Yes.

(*c*) The revised estimate, as sanctioned in 1927, was Rs. 8,30,62,850, which was again revised, in 1928, to Rs. 8,59,46,850.

(*d*) and (*f*) Against the revised estimate of Rs. 8,59,46,850, the expenditure up to the 31st March, 1928, was Rs. 8,14,49,721, and that up to the 31st December, 1928, was Rs. 8,71,08,824.

Credits for the machinery, rolling stock, etc., used for and charged to the work have not yet been adjusted; this adjustment cannot be made till the work is completed. A copy of the revised estimates with full explanations of the causes thereof is laid on the library table.

(*e*) It is expected that there will be some excess over the revised sanctioned estimates, but it is not possible to give accurate figures for expenditure from the 1st January, 1929, up to the date of completion.

(*f*) See (*d*) above. The revised estimates were sanctioned by Government.

(*g*) The sinking fund charges on the loans, from which the expenditure on King George's Dock has been met, have been paid by revenue from the commencement of the work; but the interest to the extent of the expenditure on King Geogre's Dock has been debited to capital, *i.e.*, to the estimates for that work. Both the interest and sinking fund charges on the borrowed capital used are being paid out of revenue from the 1st January, 1929.

Statement referred to in the reply to clause (a) of starred question No. 100.

(*i*) The original estimate of expenditure was Rs. 7,63,95,000.

(*ii*) No loans were specifically sanctioned by Government only for the construction of King George's Dock. Loans were sanctioned every year to meet the total anticipated expenditure on capital works.

(*iii*) The rates of interest charged to King George's Dock in respect of expenditure met from loans vary from 5 to 7 per cent.

(*iv*) The rate of annual contribution to the sinking fund on a sixty-year term is ·40962 per cent.

Compounders, alleged grievances of.

***101. Dr. KUMUD SANKAR RAY:** (*a*) Will the Hon'ble Member in charge of the Department of Local Self-Government be pleased to state whether it is a fact that the minimum qualification required for the candidates wanting to be trained as compounders of classes I and II for the State Public and State Special Hospitals, has been raised to the Matriculation Standard of the Calcutta University?

(*b*) Is it a fact that their standard of training has been raised and the course of study has also been extended to two years in place of one year?

(*c*) Is it a fact that compounders of these classes are given by Government very low scales of pay in comparison with those given by railways and other public bodies to compounders of similar qualifications?

(*d*) Is it a fact that there are appointments in other Government departments which require less academic qualifications and involve better scales of pay than those of these compounders?

(*e*) Is it a fact that a memorial for redress of these grievances has been submitted by the compounders to the Surgeon-General with the Government of Bengal.

(*f*) Are the Government considering the desirability of sanctioning a higher scale of pay with better prospects to these compounders?

MEMBER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (the Hon'ble Sir Provash Chunder Mitter): (*a*) Yes, with the exception of candidates from Darjeeling and the Chittagong Hill Tracts.

(*b*) Yes.

(*c*) The scale of pay for compounders in Government service is Rs. 30—1—40 and Rs. 35—1—50 in special cases. Government have no comparative figures of the scale on the railways and in public bodies.

(*d*) Yes, there are other types of Government employment in which slightly higher pay can be attained without the same educational qualifications.

(*e*) Memorials have reached the Surgeon-General.

(*f*) The matter has not yet been brought before the consideration of Government.

Dr. KUMUD SANKAR RAY: Will the Hon'ble Member be pleased to state whether it is a fact that these compounders cannot get leave even in case of illness, unless they can provide suitable substitutes?

The Hon'ble Sir PROVASH CHUNDER MITTER: I want fresh notice.

Grand Trunk and Damodar Canals, loss sustained in respect of.

*102. **Babu NALINIRANJAN SARKER:** (*a*) Will the Hon'ble Member in charge of the Department of Irrigation be pleased to state what the proposals are for increasing the revenue sufficiently to meet increasing recurring expenditure?

(*b*) What steps have been taken to recoup the annual loss of Rs. 4·39 lakhs in respect of the Grand Trunk and Damodar Canals?

(*c*) What scheme is there for adjustment of the loss sustained in respect of the Grand Trunk Canal now abandoned?

MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur, of Dhanbari): (*a*) As the revenue from tolls on vessels and water-rates was increased a few years ago by enhancement of the rates in all canals, it is too early yet to consider a further increase in these rates.

(*b*) The present loss cannot be recouped until the canals are opened.

(*c*) None.

Unstarred Questions.

(answers to which were laid on the table).

Bhatpara Municipality, rate-payers of.

72. Maulvi LATAFAT HUSSAIN: Will the Hon'ble Member in charge of the Department of Local Self-Government be pleased to lay on the table a statement showing—

(*i*) the number of Bengali and up-country rate-payers of each ward of the Bhatpara Municipality; and

(*ii*) the population of Bengali and up-country people of each ward?

The Hon'ble Sir PROVASH CHUNDER MITTER: The information asked for could only be ascertained by a special census of the Municipality, and Government are not prepared to undertake the labour and expenditure involved in such a step.

Damodar Canal Project, estimated cost of and allotment and expenditure for.

73. Babu NALINIRANJAN SARKER: Will the Hon'ble Member in charge of the Department of Irrigation be pleased to state in a comparative tabular form:—

(*a*) the estimated cost of the Damodar Canal Project classified according to each major item of work, the minor items being grouped together, for each of the years 1925-26, 1926-27 and 1927-28;

(*b*) the amount of the grants for the above years; and

(*c*) the actual expenditure for each year clearly specifying surpluses and deficits, if any, and transfers from one item to another or any other mode of adjustment?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: (*a*) The estimated cost of the Damodar Canal does not vary from year to year: it is the same for each year. The estimated cost under each major head is as shown in the statement laid on the table.

(*b*) and (*c*) A statement is laid on the table.

The savings were surrendered in each year to the Finance Department or lapsed.

The Budget grant is given for the scheme as a whole and not to individual major items. Allotments are made to individual works as required from time to time.

Statement showing the estimated cost of the Damodar Canal Project referred to in the reply of clause (a) of unstarred question No. 73.

DAMODAR CANAL.

Major items.		Estimated cost.
		Rs.
Head Works	...	28,46,790
Main Canal	...	15,82,651
Branch Canal	...	7,90,381
Distributaries	...	10,95,311
Miscellaneous	...	26,505
Total Works	...	63,41,638
Establishment	...	11,39,725
Tools and Plant	...	79,516
Total Direct Charge	...	75,60,879
Indirect charges	...	2,54,102
Grand Total	...	78,14,981

Statement showing the allotment and expenditure for the Damodar Canal Project referred to in the reply of clauses (b) and (c) of unstarred question No. 73.

Year.		Budget grant.	Expenditure.	Savings.
		Rs.	Rs.	Rs.
1925-26	...	Nil	Nil	Nil
1926-27	...	4,79,000	3,60,111	1,18,889
1927-28	...	18,17,000	4,37,062	13,79,938

System of classification of the budget heads under Irrigation.

74. Babu NALINIRANJAN SARKER: (*a*) Will the Hon'ble Member in charge of the Department of Irrigation be pleased to state since when the present system of distribution between the Budget heads XIII, XIV, 15 and 55 as well as the system of consolidated demand in Council in respect of these heads have been inaugurated?

(*b*) What was the system prior to the inauguration of the present system?

(*c*) Who are the authorities responsible for suggestion and sanction of this system?

(*d*) Were the Accountant-General, Bengal, and the Auditor-General consulted before the change was instituted?

(*e*) If so, what were their opinions in regard to this system?

(*f*) What is the exact reason of making this consolidated demand?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: (*a*) The present system of classification was introduced in 1921 when the structure of Government accounts was changed as a result of the reformed constitution.

The practice of taking one grant for all these major heads was introduced from 1926-27.

(*b*) to (*e*) The previous classification will be found in the budget estimates for 1919-20, a copy of which is placed on the library table. The new classification was introduced by the Government of India in consultation with and with the concurrence of the Auditor-General. These are the authorities responsible for the classification which is common to the whole of India. The Government of Bengal did not consult the Auditor-General or Accountant-General.

(*f*) Mainly for the sake of administrative convenience. The Accountant-General was consulted and agreed.

Demands for Grants.

32.—Medical.

Mr. PRESIDENT: We shall now take up the demand for grant under the head "Medical."

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 47,61,000 be granted for expenditure under the head "32.—Medical."

Mr. PRESIDENT: I think we should have one discussion on motions Nos. 613 to 615.

Srijut RADHA GOBINDA RAY: Sir, I beg to move formally the motion which stands in my name, which runs as follows:—

That the demand of Rs. 57,000 under the head "32—Medical establishment—Superintendence" be reduced by Rs. 1,500.

The following motions were called but not moved:—

Babu KHAGENDRA NATH GANGULY: "That the demand of Rs. 6,43,000 under the head '32A.—Medical establishment' be reduced by Rs. 37,000."

Srijut TARAKNATH MUKERJEA: "That the demand of Rs 6,43,000 under the head '32A.—Medical establishment' be reduced by Re. 1 (to discuss that most of the grant on this head is spent to meet the salaries of officers)."

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, this demand is for the headquarters establishment. Hon'ble members will notice from page 217 of the Civil Estimate that there has been considerable reduction in the cost of the temporary establishment, viz., from Rs. 2,997 to Rs. 2,000. Whatever increase there is, it is due to normal increases in the time-scales of pay. The only substantial increase is due to the pay of the clerks, which has risen from Rs. 36,989 to Rs. 39,400. This increase is also due to the effect of the time-scales of pay. Every item in the budget has been carefully scrutinised, and it is not possible to reduce any item. Hon'ble members should also realise that this amount of Rs. 57,000 is a trifle compared with the total voted demand of Rs. 47,61,000 under the head "Medical."

I oppose this motion.

The motion of Srijut Radha Gobinda Ray was put and lost.

The following motion was called but not moved:—

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 7,21,000 under the head '32B—Supplies and services' be reduced by Re. 1 (to discuss the insufficiency of medicines, etc., in hospitals and the neglect of duty in some cases of the officers)."

Kazi EMDADUL HOQUE: Sir, I beg to move that the demand of Rs. 23,78,000 under the head "32B.—Hospitals and dispensaries" be reduced by Rs. 47,000.

Sir, hospitals and dispensaries are the prime necessities of the time. The necessity for these establishments is keenly felt everywhere. It is all the more felt in the rural areas, for no such institutions can be found there. In the rural areas the people are destitute and poor, and they get no medical relief. Poor as they are, they are left to their fate with the result that they die in large numbers in great agony and distress. They do not get any sympathy from the rich people—the millionaires and the multi-millionaires of the towns—for whose luxuries and comforts they toil day in and day out from sunrise to sundown. They do not also get any sympathy from the Government, which can only exist on the fruits of their hard labour. No one cares to enquire how they live in the villages. If anybody were to go to the villages and enquire as to how they live, he will find that they live in wretched hovels, in insanitary surroundings, and drink the most dirty water and eat the most uneatables. It is beyond their means to secure any medical relief by spending money out of their own pockets. If we ask Government to start hospitals and dispensaries in the rural areas for ministering to the needs of the village people, Government always come forward with the usual plea that there are no funds for the purpose. It is common knowledge that they have enough funds to spare for expenditure on extravagant projects. I submit, Sir, that it is the imperative duty of Government to start hospitals and dispensaries in the villages for the relief of the poor. I fully recognise that it is not practicable for Government to spread a network of hospitals and dispensaries all over the province at the same time, but I think that Government can make a beginning by starting some hospitals and dispensaries at least in rural areas. The Hon'ble Sir P. C. Mitter, during his incumbency as a Minister, gave us an assurance that he would try to see that the matter received consideration at the hands of Government. We are not yet aware, Sir, of what he has done to induce Government to consider the matter. We want straight dealing and fair-play from Government and not hypocritical cant. If Government are really anxious to remove the difficulties of the poor people of the villages, they should without delay give an earnest of their intention by starting some hospitals and dispensaries to begin with. We want an assurance from the Government that this matter will receive consideration at the earliest moment.

With these few words, Sir, I move my motion for the acceptance of the House.

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, I beg to oppose this motion. Kazi Emdadul Hoque wants a reduction of Rs. 47,000 in the demand for grant of Rs. 23,78,000 under the head "32B.—Hospitals and dispensaries." The ground that has been put forward by him is that Government ought to spend more money for

medical aid in the rural areas. If he had turned his attention to the details of this particular head, he would have found that this year we propose to spend considerably more than the actuals of 1927-28. If this cut be accepted by the Council, the result will be that we shall have less money to spend on grants-in-aid to hospitals and dispensaries.

Sir, I oppose the motion.

The motion of Kazi Emdadul Hoque was then put and lost.

Mr. PRESIDENT: We should have one discussion on motions Nos. 618 and 619.

The following motion was called but not moved:—

Mr. D. N. ROY: "That the demand of Rs. 7,000 under the head '32C.—Medical—Grants for medical purposes—Grant to the State Medical Faculty, Bengal, and the Bengal Council of Medical Registration' be refused."

Dr. KUMUD SANKAR RAY: Sir, I beg to move that the demand of Rs. 7,000 under the head "32C.—Grant to State Medical Faculty of Bengal and the Bengal Council of Medical Registration" be reduced by Rs. 3,500.

Sir, in the last session of this Council a resolution was passed requesting Government to introduce certain changes in the constitution of the governing body of the State Medical Faculty of Bengal. That resolution runs as follows:—

"This Council recommends to the Government that the constitution of the governing body of the State Medical Faculty of Bengal be formed as follows:—

(*a*) One representative to be elected by the Senate of the Calcutta University.

(*b*) One representative from each of the medical institutions affiliated to the Calcutta University or any other University in Bengal.

(*c*) One member to be nominated by the local Government.

(*d*) Three non-official members to be nominated by the Bengal Council of Medical Registration from registered practitioners of not less than ten years' standing, of which not more than one is to be nominated from amongst themselves, etc., etc."

Similarly, it proposed that three members should be elected from amongst the teaching staff by rotation from each of the Government

institutions. Another clause of the resolution referred to three members being elected from amongst the registered medical practitioners of at least 10 years' standing—not by medical practitioners who have just come out of their college. I suggested in my resolution that of these practitioners, one should be elected from amongst those holding British qualifications, and one from amongst the M.B.'s and L.M.S.'s of the Calcutta University, and one from amongst the L.M.F.'s of the State Medical Faculty of Bengal. Sir, there was some misunderstanding, at the time of the discussion of this resolution, in the minds of some gentlemen opposite. It was not clear to some members as to the number of representatives to be elected by the medical practitioners of 10 years' standing, and some were apprehensive that if all these three members were elected from among the Sub-Assistant Surgeons—which they thought to be not unlikely—the standard which the State Medical Faculty endeavours to maintain would be lowered to a certain extent, but that apprehension was baseless inasmuch as it was proposed that out of the three members, only one should be elected from among the Sub-Assistant Surgeons, the other two being elected by medical practitioners with British qualifications and by M.B.'s and L.M.S.'s of the Calcutta University. Even in the case of election from medical practitioners, the member was required to be of at least 10 years' standing in order to ensure that he had sufficient experience of medical practice to enable him to find out what the standards of medical education should be in a tropical country like India. That was the underlying idea of the resolution. Even such a modest resolution, which was passed by a large majority of members, not only elected but also nominated, was opposed by Government. It is true that a few European members voted against the resolution on the misunderstanding I have already referred to. The majority in favour of the resolution would have been more striking if those European members were not under the misapprehension. Even as it is, it received the support not only of this side of the House, but also of the Muhammadans, some Europeans and the members of the Union party. Sir, my submission to this House is that when a resolution has been accepted by all sides of the House, it should be given effect to by Government. If it is not, what is our remedy? The remedy in the present case lies in reducing the grant to the State Medical Faculty. Government make a grant of Rs. 7,000 annually to the State Medical Faculty of Bengal and the Bengal Council of Medical Registration, and I propose to reduce that amount by half. I am quite prepared to give them this grant this year, if some assurance is given by the Member-in-charge that some of the recommendations of that resolution would be given effect to immediately, and that Government would seriously consider ways and means for giving effect to the other recommendations, about which there might be some practical difficulty in carrying them out at the present moment.

I, therefore, appeal to the members of this House that if Government do not give any such assurance to meet the wishes of this House, as expressed in the resolution which was passed by them only last session, to support me in my motion. But should any such assurance be forthcoming from Government, I should be glad to consider whether I should withdraw my motion.

With these few words, Sir, I beg to move my motion.

The Hon'ble Mr. A. N. MOBERLY: I am sorry, Sir, that my friend Dr. Kumud Sankar Ray has proposed to cut half the demand for the State Medical Faculty of Bengal and the Bengal Council of Medical Registration, at a time when this Council has recently by legislation increased the scope of the duties of the Council of Medical Registration by giving them power to inspect all schools, Government or otherwise. A good deal of this Rs. 7,000 is intended to be spent in travelling allowances for the members of the Council of Medical Registration while on inspection work. We expect great things from this inspection, and I think that if the Council cut the grant by half, the inspection work will be considerably hampered. The resolution that was passed by the Council not long ago is still under the consideration of Government. The procedure is that when a resolution is passed by the Council, it is sent to Government for consideration as to how far they can meet it. Government have so far not passed any final orders on this one. I have, however, discussed the matter with Dr. Kumud Sankar Ray and tried to see how far we could meet his wishes. I am sorry to say that we have not been able to come to an agreement. I am not prepared, on behalf of Government, to promise to abandon the system of nomination and to substitute a system of election, nor am I convinced that the importation into the State Medical Faculty of medical practitioners other than those who are connected with medical schools, as Superintendents or teachers, is a real necessity. The directions in which I have told Dr. Kumud Sankar Ray that I am prepared to recommend to Government that his views should be met are that instead of having a certain number of Government schools represented *ex officio* on the State Medical Faculty, the Superintendents of all medical schools, which have been recognised by the Council of Medical Registration, shall be appointed in rotation for a period of two years each, and that the remaining seats on the Faculty shall be filled from among teachers of the various subjects upon which candidates are examined. As I have mentioned before, the State Medical Faculty is primarily an examining body. I am afraid, therefore, Sir, that I must oppose this motion, first on the ground that the money is really required for the purposes for which it has been provided in the budget, and secondly, on the ground that Government have not yet

come to a decision on the resolution, and that I am not prepared to recommend that they should accept in full the resolution which was passed by the Council about six weeks ago.

The motion of Dr. Kumud Sankar Ray was then put and lost.

Mr. PRESIDENT: I do not see any reason why we should not have one discussion on motions Nos. 620 to 627. I should like to know if the Hon'ble Member in charge of the Medical Department will find it convenient to make one speech on all these motions, which all relate to the head "32C."

Mr. I. A. CLARK: On a point of order, Sir, I would like to point out that the Calcutta Hospital Nurses' Institute is entirely different from the subject referred to in the next motion, namely, that relating to the Lady Minto's Nursing Association. One is for private nurses for the hospitals, while the other is for nurses for private nursing, and I submit that these matters should be discussed separately.

Mr. PRESIDENT: But these relate to the same head of the budget. I should like to know what the Hon'ble Member in charge of the department has got to say. I made the proposal in order to save time.

The Hon'ble Sir PROVASH CHUNDER MITTER: I think that we should have one discussion on motion No. 620, which is the same as No. 621 and No. 622 together.

Mr. I. A. CLARK: I would like motion No. 622 taken separately.

3-30 p.m.

Mr. PRESIDENT: All right, we will first take up either 620 or 621 whichever is moved and then the rest together as suggested by me. I think that will satisfy Mr. Clark.

Mr. D. N. ROY: I beg to move that the demand of Rs. 1,00,000 under the head "32C.—Medical—Grant for medical purposes—Grant to the Calcutta Hospital Nurses' Institute" be refused.

There is no justification for providing the Calcutta Hospital Nurses' Institution with an annual grant of one lakh of rupees. It is often said that the Government is a gainer by the arrangement, as by spending a lakh they get services worth three and a half lakhs of rupees which is the amount that the Institution spends on the maintenance and training of the nurses supplied to the hospitals. This is a specious argument and its flaws would be palpable if the real situation is analysed. In order to understand the implications the matter

of the Institution and its relation with the Government should be known. The Institution though not in name is in reality a trade union of the European nurses. The Government, in contravention of their usual attitude towards trade unions and other labour organisations, have entered into a contract with it whereby the recruitment, training and appointment of nurses in the leading Calcutta hospitals have been entrusted to this Institution. The Government have no right to give such monopoly of employment to a trade union or to an institution in the nature of a trade union especially when it is the organisation of a particular community. It is an instance of gross racial partnership which would not be remedied even if the Government give financial help to any Indian organisation for the training of Indian nurses. For the nurses so trained would not be able to secure employment in the hospitals that have entered into the contract except through the intermediary of the Hospital Nurses' Institution. That they would find no quarters there can be realised from the previous attitude of the Institution towards the training of Indian nurses. When hard pressed in the Corporation the patrons of the Nurses' Institution pleaded dearth of Indian ladies of the required type. But its annual report for the year 1927 fully exposes its inner mind. It is stated therein that they are not ready to make any arrangement for the training of Indians unless they got more money grants from the Corporation or the Government. In other words it is the intention of the authorities of the Institution to spend entire amounts now granted by the Government on European nurses only; Indian nurses must not have any share of them. Should the House under such circumstances consent to sanction the supply provided for such an anti-Indian institution?

The argument that the Government is financially gainer by the contract does not come in; the gain, I think, is more imaginary than real. If the Government did not enter into a contract which practically means appointment of highly paid European women, the nursing problem of the hospitals concerned could be solved with less than a lakh of rupees. We can secure good Indian nurses at a much less cost and about 200 Indian nurses will find adequate employment.

Under these conditions I ask the members of the House to vote with me in refusing the demand.

Mr. I. A. CLARK: The mover of this motion as I understand says that the Institution is a trade union of European nurses. I submit that the object of this Institution is not to benefit any particular class of ladies seeking employment. The object of the Institution is to provide nurses to save the lives and to mitigate the sufferings of people who are ill. With your permission, Sir, I will read out from the Report of the Institution the paragraph which begins—The Origin and

Objects of the Institution. It reads: "The Institution was founded in 1859"—nearly 70 years ago, and at that time I do not think any Indian ladies were coming forward nor was there any demand from any part of the Indian community of ladies to become nurses. That was 70 years ago. "It undertakes to recruit, train, provide free of charge the entire nursing staff of the leading Calcutta hospitals, including the Presidency General, the Medical College, the Eden Maternity, the Prince of Wales, the Ezra and Eye Hospitals. A few nurses at the Medical College Hospital and some *dhais*—Indian ladies—at the Eden Hospital are also available for private engagement outside the hospital at moderate fees." I need not read any more but I may say that it does not appear to be generally realised that the Institution bears the whole cost of food, clothing, pay and servants for the nurses. With your permission, Sir, I will now give you some figures as regards the patients. The mover has raised a racial question and accordingly, very much against my will I am compelled to treat it as such. I have only got figures for 1928. Patients treated in 1928, in the hospitals which are served by this Institution—Europeans and Anglo-Indians—13,581; Indians—86,055. Now we all know that in England the hospitals are entirely supported by voluntary contributions. We have not reached that stage in this country; and I apprehend that it will be many years before we do so. The Institution does receive a large sum of money in the form of contributions. But that is not enough. If the Institution is to continue to supply nurses to the hospitals which it now serves it has to ask Government to provide this one lakh of rupees, and if this grant is refused it will simply mean that Government will have to ask the House to increase the grant which appears on page 222 of the Civil Estimates by Rs. 1,00,000, that is the grant for nurses who are not provided by this Institution. One of two things will therefore happen if this demand is refused. Either the Institution will have to cease to supply the large number of nurses that it now supplies or else the Government will have to come to the House and ask the House to increase the grant I have mentioned. It has been said that it might be better if the task were taken over by Government and the whole expenditure was incurred direct by Government. Well, Sir, if I were to go to my friend Sir Provash Chunder Mitter and say to him that I was prepared to take over some of the duties which have recently been thrust upon him and if I said that I was willing to do that for nothing I apprehend that he would jump at my offer, always assuming of course that I was considered competent, but as to that I must leave the House to judge.

The mover said that the Institution has not taken sufficient steps to train Indian nurses. As I have already said it was founded long before there was such a demand, but I am authorised to say that the Institution has no prejudice against Indian ladies becoming nurses,

provided ladies can be found of the requisite standard of education, and it has already offered to train four Indian ladies at the instance of the Calcutta Corporation. The mover may say that this is a very small number but Rome was not built in a day; if he will exercise patience I think it will not be very long before he gets what he wants. I do suggest that the mover is not perfectly entitled to move this motion with the object of drawing attention to this matter but a token cut, say of one rupee, would have served his purpose just as well as a motion to refuse the whole grant and thereby cripple the activities of the Institution. I therefore beg to oppose the motion.

Srijut BIJAY KUMAR CHATTERJEE: I beg to support Mr. D. N. Roy's motion and in supporting him I beg to state that our European friends may think that the Nurses' Institution is a useful institution and that Government should spend one lakh or 3 lakhs of rupees on this Institution. But we the Indians on this side of the House cannot ignore the fact that Government cannot find any money for medical purposes and throughout the length and breadth of Bengal Government are spending only Rs. 1,30,000 as pay of assistant surgeons and sub-assistant surgeons and other things, while in the same breath they are granting with callousness one lakh to this Nurses' Institution. From this book we cannot find whether this one lakh includes their pay. I think not. It does not include their pay, house rent and house allowance and so on. I think it is some sort of club where the nurses gather. I do not know what useful purpose is served and how the Indian tax-payers are benefited by the Nurses' Institute. One of our European friends was suggesting that it is a useful institution, and one of my friends who was present there at once retorted that it was useful not for the purpose of Indians. We fail to understand why Government should spend such a huge sum of Rs. 1,50,000 on a club. As a representative of the Indian section I say that it should be refused and unanimously refused. There is no question of token cut and the whole amount should be refused, and the amount thus saved spent on other useful things in the Medical College or any other medical institution. With these words I support the amendment and say that this sum of one lakh be rejected.

Dr. BIDHAN CHANDRA ROY: My friend Babu Bijay Kumar Chatterjee is probably under the same delusion as I was two days ago, namely, that the Calcutta Hospital Nurses' Institution is merely a club. Probably Mr. Clark was not audible on this side of the House, therefore he could not catch the words that the Association recruits, trains and provides nurses to the leading Calcutta hospitals, including the Presidency General, Medical College, etc.

3-45 p.m.

There is no reason to doubt that this Institution has served its purpose in the past, namely, that of supplying the Calcutta hospitals with nurses. But the objection on this side of the House is from a different standpoint altogether. It is obvious this Institution was started in 1859 at a time when there was no other nursing institution in Calcutta, and it is obvious also, although it is not mentioned, that the original object of the Institution was to supply nursing facilities for European patients. I have heard this from a very important member of the Nursing Institute this morning. However, that is not the point at issue at the present moment. The question is, is it necessary for the Government to make over to an outside body a lakh of rupees every year for the purpose of their giving—not free of charge as mentioned in the report—nurses to the hospitals after getting one lakh of rupees from Government, they receiving Rs. 1,30,000 or Rs. 1,50,000 from the outside public? The argument that if you do not give this lakh of rupees the other lakh or a little more would not be forthcoming does not appeal to me at all. If these gentlemen or the companies who are now contributing towards the Association, really have the milk of human kindness in them, they will go on contributing even if the nurses are taken over by the hospitals. The question, therefore, resolves itself into this—Are the institutions like the Medical College, the Presidency General Hospital and so on going to get nurses from the Nurses' Institute or are they going to appoint their own nurses and pay them? I find that so far as the Medical College is concerned, the expenditure on the nurses supplied by the Calcutta Hospital Nurses' Institute amounts to a little over two lakhs of rupees. The Government contributes Rs. 1,30,000; so it is only a question of Rs. 70,000 so far as the Medical College is concerned. If the Government is going to pay for the other amenities of the hospitals, I do not see why Government should not also undertake to supply nurses to the hospitals.

The object of the Calcutta Hospital Nurses' Institute, particularly when they come up to the legislature for getting money, could have been justified if they had done first of all the propaganda work and secondly if they had undertaken to train Indian nurses. It is all very well to say that Anglo-Indian nurses save a large number of people from sufferings in the hospitals. The question is whether these Anglo-Indian nurses are the most suitable persons to nurse Indian patients. We who go in and out of these hospitals can testify that these nurses neither understand the customs nor do they understand the language of the people nor do they follow the little details which are of importance if the relationship between the nurses and the patients is to be of the best kind. We can say that during the

last 60 years of their existence, the Calcutta Hospital Nurses' Institute has taken no steps to train adequately Indian nurses. It has been said that suitable persons are not available from among Indian ladies to be trained as nurses. I deny that charge. I am connected with an Institution where nurses are being trained to-day. I have 18 nurses under training all belonging to the *bhadralog* class.

Mr. J. A. CLARK: On a point of personal explanation. I never said that suitable persons were not available. I said that the Association has not yet been able to find them.

Dr. BIDHAN CHANDRA ROY: I did not say that Mr. Clark said that. I said that it has been suggested that suitable persons are not available. As a matter of fact the Calcutta Corporation stopped its grant of Rs. 5,000 because there was no provision in the Institute for the training of Indian nurses. The Institute undertook the training of Indian nurses provided no extra expenditure was involved, that is to say, if this one lakh of rupees which the Government grants was not available for training Indian nurses. What I do maintain is that for the last 60 years the Calcutta Hospital Nurses' Institute has not taken any step whatsoever in trying to find out whether it is possible to train proper Indian nurses.

The argument that Mr. D. N. Roy put forward may be quite clear from the lawyer's point of view. The feeling behind his argument was this—the Nurses' Institute not having trained Indian nurses and having attempted to keep the nursing profession as privileged to the few, they should not be given any money. If the idea was not to make any racial distinction—Mr. Clark has suggested that 85,000 Indian patients are treated in the hospitals to-day—why is it that the Calcutta Hospital Nurses' Institute did not take steps to see that Indian patients are nursed by Indian nurses and not European nurses. That is the charge laid against the Institute.

The question now is that, particularly as the Local Self-Government Department is now a Transferred Department under the control of a supposed popular Minister, is it not time that Government should not leave the whole thing to only an outside body . Let the Government take courage with both hands and say—we shall train the nurses, we shall equip them, we shall improve them and we shall provide hospital nurses from our funds.

There is another point. These nurses depend for their pay and prospects on the Calcutta Hospital Nurses' Institute and the hospitals keep them under discipline. In this there is a fundamental point of administration with which Sir Provash will agree with me and that is this: if there is a particular institution that supplies nurses, why is it that the question of their pay and salaries and prospects and

promotion should depend on some other outside body and why should Government go in a round-about way to provide money for them. It is obvious that if I am in charge of an institution the employees must look up to me for any prize or reward or censure. Here there is a combined and dual responsibility. It is no good saying to me that there are sub-committees of management in the Medical College, when the pay and prospects of the nurses depend on the Calcutta Hospital Nurses' Institute. It is this anomaly to which we object. If the Calcutta Hospital Nurses' Institute has justified its existence at all, it should provide for the training of Indian nurses. If it is not able to do so, let it cease to exist, and Government should take up the case of providing nurses to the hospitals. Government should also take up seriously the question of training Indian nurses. If they cannot do so, let there be some other body to take up the matter seriously in hand.

Mr. W. L. TRAVERS: Dr. Bidhan Chandra Roy said that the Calcutta Nurses' Institute has made no attempt to obtain Indian nurses. I submit, Sir, that statement is not true. The Institution has done its best to obtain Indian ladies of the right type but it has failed. I had the pleasure of going to a hospital the other day where at the Deshbandhu Hospital I saw the splendid work of Dr. Kumud Sankar Ray. I was delighted to find there that he has been successful in obtaining at any rate a training ground for Indian ladies. Now, Sir, to-day Dr. B. C. Roy has informed us that he has also under him an institution for training Indian nurses. That statement will be received with the greatest of delight by every one on this side of the House. It is not a matter at all in my mind of racial distinction. It is perfectly natural that we the British have failed to obtain the right class of ladies for Indian nursing. That Indian gentlemen have been successful is not at all remarkable; it is what one should expect. They themselves are in intimate association with Indian *bhadralog* ladies and they are naturally able to train the Indian ladies for such work where we the British could not. The point to which I would refer is this: It is a fact that the Calcutta Hospital Nurses' Institute has failed to obtain Indian nurses and that Indian gentlemen have succeeded, but is that a reason why a cut should be made in this grant which will ruin an Institution which, whatever may be said of it, is yet a splendid Institution for the relief of human suffering? I would like to point out in regard to the finance of the Calcutta Hospital Nurses' Institute that the larger part of its revenue comes from donations and that it is almost entirely given by Britishers and British firms. I hate the racial issue in matters like this, but I would point out to this House that the sum of money which is subscribed or raised is sufficient to equip nurses for the particular purpose of nursing British patients. Along with the fees that are realised, there would be no loss to the

Institute if it were only meant for nursing British patients. The one lakh of rupees which the Government gives to this Institute is solely for the nursing of Indian patients. I quite agree with Dr. B. C. Roy that when there is any real supply of Indian nurses there should be an institution for the training of Indian nurses which should receive a Government grant, and for that grant I can guarantee that we the British members of this Council will do our very best to see that other grants are given to nursing institutions in the city. What I object to is this: last year the financial results of this Institution showed that there was a deficit of Rs. 50,000 and if this motion is adopted, it means that the Calcutta Nurses' Institute will be ruined and the supply of nurses will cease.

Dr. KUMUD SANKAR RAY: Sir, it is rather a delicate subject on which to make a speech, because anything that may be said in this connection may be interpreted as if I had been guided by a racial bias or I am wanting in chivalry, as this is a matter which concerns a grant to a ladies' institution. The point, however, to which I want to draw the attention of the House is this—it is with regard to having nurses speaking a foreign tongue attending Indian patients. I quite admit that there might have been difficulties in training Indian nurses some years ago. Supposing if we have to fill our hospitals by Japanese nurses then the difficulties of the patients may be better imagined—nurses and patients not understanding each other. Sir, it is for this and for no other reason that unless the nurses can talk in the vernacular it is impossible to nurse a patient and that is the only reason why we object to this grant. It is only this that should guide anybody—whether Government or any other body—which provides nursing service in a particular country. You may have good nursing institutions but until this has been achieved it is no good saying that you will serve the nursing interest best by appointing nurses who do not know the vernacular of the country. It is for that reason that a departure should be made with regard to the training of nurses who understand the language of Indians. The second point that I want to raise in this Council is this—there is a tendency specially with regard to the recruitment of nurses to give up the function of Government and give the function to somebody else. It is only to-day that we saw in the papers a statement of a high official in Delhi to the effect that there is a great dearth of women doctors in British India. There is roughly only one qualified woman doctor for every 30 million of female population. In the same statement I find what the Government of India is doing in this connection. It is stated—"Apart from its subsidy of Rs. 3,70,000 for women's medical service the Government of India does nothing to supply women doctors." That subsidy is given to the Association for supplying medical aid to women, as the grant here is given to the Calcutta Hospital Nurses' Institute. Well, the

same thing may be said of the I.M.S. officers, police surgeons and others, but why is this differentiation with regard to recruitment to particular posts which are filled by women as nurses or doctors? Is the Government not competent itself to take up the appointment of women doctors or nurses? They are competent to appoint male doctors, I.M.S. officers, provincial service men, civil surgeons, police sergeants and Judges of courts, but they cannot appoint nurses and women doctors! Why should they delegate their powers with regard to these appointments to others. The Government of Madras appoint their own nurses. The medical colleges there appoint nurses directly instead of delegating their powers to somebody else. I think, Sir, that the question raised by Mr. D. N. Roy require serious consideration as to whether any grant should be given to a particular association only for the purpose of recruiting nurses. These are the two points I want to raise and we do hope that the question will not be considered from a racial point of view. The question should be considered solely from the point of view of the patients. The majority of the Indian patients do not understand English and it is desirable that they should be treated by Indian nurses. So far as these patients are concerned, the nursing should be done entirely by Indian nurses, as otherwise the question may arise as to which of the patients are to be nursed by Indian nurses and which of the fortunate few are to be nursed by European nurses. Is a particular patient to be nursed by an Indian nurse and another patient nursed by a European nurse? Then, Sir, there are several private hospitals in Calcutta and I do not think that Government can say that in these hospitals patients are not properly nursed. There are the Campbell Hospital, the Carmichael Medical College Hospital, the Chittaranjan Seva Sadan, Chittaranjan Hospital and other hospitals. All these hospitals appoint their own nurses and they appoint Indian as well as European nurses. I am sure no one here can say that in any of these hospitals the nursing is not satisfactory. If in these hospitals, nursing is efficiently carried on, and if in other provinces the nurses can be appointed directly by the medical authorities, why should not the Government here leave the appointment of nurses to the head of the medical institutions concerned. Is the Principal of the Medical College not competent to appoint nurses. I am sure Colonel Stewart can appoint efficient nurses. The position requires serious consideration and there should be alteration in the method of recruitment of nurses. These are the only things that I wanted to speak about in connection with this motion.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, after the speeches of my friends, Dr. B. C. Roy and Dr. K. S. Ray, I am fully convinced that the time has come when Government should have a policy as to how far we can have Indian nurses for meeting the needs of hospitals. Expressing my own views, I must say that my friends should have

also remembered that there is a large number of hospitals in Bengal where there is no nurse at all, and I think that not only in the interests of Calcutta hospitals, but in the interests of mufassal hospitals also, there should be some institution in which Indian nurses could be trained. But it is one question, whether Government should or should not have an institution for the training of Indian nurses, and it is another question whether the Calcutta Hospital Nurses' Institute should have a grant. Up till now Government have not done anything to train Indian nurses. Until that is done, the Calcutta Hospital Nurses' Institute must be considered to be serving a useful purpose. It may not be up to the standard which my friends expect or it may not be the very best, but all the same it is doing very good work in Calcutta. So long as Government do not inaugurate a scheme for the training of nurses, I think Government should subsidise some institution. As Mr. Travers said, possibly we will find that some day Dr. Bidhan Chandra Roy and Dr. K. S. Ray will get substantial grants from Government for the training of Indian nurses—not only for the training of Indian nurses, but also for the training of women for doing sanitary work. For some time past Government have been attempting to introduce women vaccinators. We are in great need of women vaccinators. As a matter of fact, in our district we have failed to get a sufficient number of women for appointment as vaccinators. Government should take the matter up, but I do not see how Government can help us till men like Dr. B. C. Roy and Dr. K. S. Ray come forward with their mature judgment and evolve a scheme, and I think they are doing a great disservice to the country by remaining away from office. I hope this grant will not be refused until Dr. B. C. Roy and Dr. K. S. Ray have been able to evolve a scheme for the training of Indian nurses.

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, before I touch the racial issue I would like to clear a number of misapprehensions. I am afraid, Sir, that this motion is the result of a number of misapprehensions. With regard to the racial issue, let me say this that although Mr. D. N. Roy raised this issue, I was pleased to find that two eminent medical men, Drs. Bidhan Chandra Roy and Kumud Sankar Ray, have based their objection not on racial grounds, but on broader grounds, which must be examined very closely. The material I wish to place before the House is this. It has been repeatedly said that we spend a lakh of rupees for nursing in the Medical College Hospitals. That is due to a misapprehension. The Calcutta Hospital Nurses' Institute provides nurses not only for the Medical College group of hospitals, but also for the Presidency General Hospital, for the Campbell Hospital and for the Hospital for Tropical Diseases. I am sure that on the arguments put forward by Dr. Kumud Sankar Ray, it must be admitted that so far as the Presidency General

Hospital is concerned, it is desirable that if we can get European and Anglo-Indian nurses for that Institution, nobody should question their employment. Therefore, Sir, a certain number of such nurses are necessary for European and Anglo-Indian patients there. So far as the Medical College and the School of Tropical Medicine are concerned, we have also British patients there, and even from the racial point of view, on the arguments put forward by Dr. K. S. Ray, nobody ought to deny the British patients the privilege of being nursed by their country-women. Now, Sir, it is admitted that when this institution was originally started in the sixties of the last century, there was no possibility of getting Indian nurses. So, at the time when this Institution was started, it served a very very useful purpose. At the same time I am free to confess that we are on the threshold of better days now. What was impossible in the sixties, what was impossible in the eighties, or what was impossible perhaps ten years ago, may not be so impossible to-day. It may be possible now to get suitable Indian nurses, but it must be admitted that it is not possible to get suitable Indian nurses in such large numbers as to replace all at once, without training, the nurses employed in the several hospitals. Thanks to the activities of medical gentlemen like Dr. Bidhan Chandra Roy, Dr. Kumud Sankar Ray, Dr. Kedar Nath Das and others, Indian hospitals are growing, and the number of patients not only in these group of hospitals but in other hospitals are growing every day. Nursing as a profession is becoming more and more important every day and we shall be requiring more nurses—both British and Indian. Now, Sir, so far as the Medical College alone is concerned, we had there last year over ten thousand indoor patients treated by the nurses of this Institution. Of these 8,119 were Indians. We had in the outdoor department more than 90,000 patients and of these about 70,000 were Indians. Now, supposing we stop the grant to-day, supposing the Council, led away by false reasons, stops the grant to-day, what will become of the one lakh of patients? Supposing Indian ladies were able to attend to nursing, can you produce trained nurses at once? Therefore, I say the racial issue is a false issue. I want as much as Dr. Bidhan Chandra Roy or Dr. Kumud Sanker Ray wants, that our Indian ladies should be capable of being properly trained in the noble profession of nursing, and I may take the House into confidence and tell my friends on my right that last year when I was really in charge of the department, and not in temporary charge for a few days, one of the things that I did was to ask the then Secretary to write to a number of Indian educated ladies, such as Lady Bose, Mrs. Roy and others, to help the Surgeon-General and the Principal of the Medical College in finding Indian nurses for training, and I may assure the House that the Surgeon-General and the Principal of the Medical College are as keen as any one to provide for suitable

Indian nurses, provided such nurses are forthcoming and fit for training. I may further take the House into confidence by reading an extract from a letter which the Surgeon-General received in February 1929.

4-15 p.m.

The letter encloses a note by an Indian medical officer, viz , Major J. C. De, whose assistance was sought by the present Principal of the Medical College, Colonel Stewart. I will read out to the Council a passage from this note, which will show how difficult it is to get suitable Indian girls for the profession of nursing. Major De says:

"The real difficulty lies in finding girls sufficiently educated in English to follow and take down instructions given in that language, who are willing to take up nursing as a profession. Those who have the requisite education prefer the teaching to the nursing line, and also guardians have much stronger objections to the latter line as a profession for their girls. There is no doubt that in the near future girls will be turning to the nursing profession as the opportunities in the teaching line grow scarce.

"I have seen Mrs. Kumudini Bose several times in this connexion. She had not succeeded in getting any candidate of the type required up till last Christmas and was on the look-out. She was to have let me know if she heard of any suitable candidate. I have arranged a meeting with the Secretary of the Saroj Nalini Memorial Association to discuss this matter. I am also trying through Mrs. P. K. Roy, Lady Bose, Dr. Edith Ghosh and others for likely candidates."

We Indians know very well that the teaching profession is more popular with those of our girls who have some education than the nursing profession: I know that Dr. Bidhan Chandra Roy has staffed the splendid medical institution, which is so dear to his heart, with Indian nurses. I might perhaps remind him that it is an institution for Indian women only. Everyone knows that there are a large number of male patients in the Medical College hospitals, who are uneducated and uncultured and some of them at any rate may not be very distinguished for good breeding. In view of this fact, I am sure, the parents of young girls would much rather prefer them to take up the teaching line than go in for the nursing profession. I can assure the House, if any assurance is at all needed, that the Medical Department—I am speaking of the Medical Department inasmuch as I am in only temporary charge of it—will welcome the assistance of Dr. Bidhan Chandra Roy and Dr. Kumud Sankar Ray in formulating a scheme for the training of an adequate number of Indian nurses. But I ask the House to pass this grant without any hesitation, and, unless political and racial considerations intervene, without any dissentient voice. You cannot replace the European nurses to-morrow.

If you refuse this grant of a lakh of rupees to-day, then what will happen to-morrow to the one lakh of patients in the Medical College Hospitals alone, not to speak of the patients in the Presidency General Hospital and other institutions? Consider the grave responsibility that rests on you and then cast your vote.

Dr. BIDHAN CHANDRA ROY: Sir, there is no need for the Hon'ble Member to be so warm. No one is heated on this side of the House. (Laughter.)

The Hon'ble Sir PROVASH CHUNDER MITTER: I am glad that Dr. Roy has noted my warmth, which denotes that my argument has gone home. I hope he will recognise that there is need for drawing pointed attention to the responsibility of members in this case.

Dr. BIDHAN CHANDRA ROY: It may have the effect of heating us up too. That is why I made that remark.

Mr. PRESIDENT: It is exuberance and not heat. (Laughter.)

The Hon'ble Sir PROVASH CHUNDER MITTER: I was only reminding my hon'ble friends to the right of our duty to remember the poor patients, while we play our game on the chessboard of politics, let us not forget the poor patients. I trust that on the assurance that I have given they will see their way to withdraw their objections to this demand.

Sir, there are certain other matters to which I should like to draw the attention of the House. This grant of a lakh of rupees is made to the Calcutta Hospital Nurses' Institute. Last year, the total budget of the Institute was for about three lakhs fifty-two thousand and odd rupees, of which only a lakh of rupees was contributed by Government. This budget covers expenditure on all heads, viz., salaries, clothing, etc. Therefore, by spending only a lakh of rupees we are getting the benefit of an additional sum of more than two and a half lakhs of rupees. Donations and subscriptions bring in about Rs. 1,39,338 per annum, the bulk of this contribution is paid by Europeans. There are also other contributions. I find that the public pay more than a lakh and a half for the upkeep of the Institute. The indoor patients of the Presidency General Hospital pay about Rs. 35,000 and odd per annum. This contribution is by Europeans alone. The Medical College Hospitals pay about Rs. 7,000, the bulk of which is made up of contributions from Indians, though a portion of it comes from Europeans also. I submit, Sir, that apart from other reasons, we are getting the services of the nurses to the public cheap, viz., by paying only a lakh of rupees per year, we are

getting services for which about Rs. 3½ lakhs are spent. If you do not pass this grant, what will be the result? The funds of the Institute are already in deficit by about half a lakh of rupees. If you do not pass this grant, the Institute authorities will be forced to stop the nursing of a large number of patients. They are not likely to withdraw from nursing in the Presidency General Hospital and they may be forced to withdraw a number of nurses from the Medical College Hospitals. If the object desired to be achieved by my friends on the right by this motion be to open up a new profession to educated Indian ladies, then, after the assurance which I have given them on behalf of the Medical Department, I hope they will agree with me that the fulfilment of that object is not remote.

Dr. BIDHAN CHANDRA ROY: What about unity of control?

The Hon'ble Sir PROVASH CHUNDER MITTER: I am coming to that point. So long as we have to take the assistance of an outside body like the Calcutta Hospital Nurses' Institute and get the work, costing three lakhs and a half rupees per annum, done by paying only one lakh of rupees per annum, we cannot but take into account those who control that institute.

The suggestion put forward by Dr. Bidhan Chandra Roy and Dr. Kumud Sankar Ray regarding the institution of a separate nursing service is worthy of serious consideration, and if our medical friends in this Council would place before the Surgeon-General definite proposals to this end, I am sure he will consider them with every sympathy, and that ultimately it would be possible to evolve a scheme for the training of Indian nurses. There is one practical difficulty, Sir. If you want to train Indian women in the profession of nursing through this Institution, then they must have better education than is necessary for the mere purpose of nursing. They must be able to follow lectures in English, if you want them to be trained by Englishwomen. My point is that if you want to get Indian women trained by English women in the science and art of nursing, then it is absolutely necessary that the former should have sufficient knowledge of English to follow the lectures delivered in English for the purpose. (Some member said "question"?) I have never said that it is not possible to train Bengali or Indian women who have no knowledge of English or an indifferent knowledge of it, in the art of nursing: my point is that such training must be imparted by Indians. I think that my friends want Indian girls trained through the Calcutta Hospital Nurses' Institute. Girls of the proper type do not come forward now for training through that Institute. On the other hand, it is quite possible to train Indian nurses elsewhere, and I believe that the Superintendent of the Campbell Hospital is trying to train Indian nurses, both

female and male—the latter for attending the male patients—in his hospital. Sir, I hope these practical suggestions will be considered by my friends on their merits. You do not advance the cause of training Indian nurses by one single iota by refusing this grant. I suggest once again to my friends on the right that they should desist from refusing this grant and that they should put forward before Government definite and concrete proposals for training Indian nurses.

With these few words, Sir, I beg to oppose the motion.

Mr. D. N. ROY: Sir, after listening to the speeches of Mr. Travers and the Hon'ble Sir Provash Chunder Mitter, I feel that my object in moving this motion has been served, and I think that, in view of the assurance given by Mr. Travers that he would support a proper scheme for the training of Indian nurses, and also in view of the assurance of the Hon'ble Member in charge of the Medical Department, I should withdraw the motion. I crave your leave as well as of the House to withdraw the motion which has been moved by me. (Applause from the European and official members.)

The motion of Mr. D. N. Roy was then, by leave of the Council, withdrawn.

Dr. BIDHAN CHANDRA ROY: Sir, perhaps you are aware that the non-official European members of this Council have invited us to an " At Home " for tea and conversation, and we hope that you will be pleased to adjourn the House for some time to enable us to avail of this kind invitation.

Mr. PRESIDENT: I am not only aware of it, but am one of the fortunate recipients of their invitation. I adjourn the Council till 5 minutes past 5 o'clock p.m. I hope this will be sufficient both for prayer and the " At Home."

[At 4-27 p.m. the Council was adjourned and it reassembled at 5-5 p.m.]

Mr. PRESIDENT: We will now have one discussion on motions Nos. 622 to 627.

The following motions were called but not moved:—

Mr. D. N. ROY: " That the demand of Rs. 7,700 under the head '32C.—Medical—Grants for medical purposes—Grant to the Lady Minto's Nursing Association ' be refused."

Mr. D. N. ROY: " That the demand of Rs. 7,000 under the head '32C.—Medical—Grants for medical purposes—Grant to the Lady Canning's Home for training of Nurses ' be refused."

Mr. D. N. ROY: "That the demand of Rs. 26,200 under the head '32C.—Medical—Grants for medical purposes—Other grants' be refused."

Mr. D. N. ROY: "That the demand of Rs. 1,59,000 under the head '32C.—Medical—Grants for medical purposes' be refused."

Mr. J. CAMPBELL FORRESTER: I beg to move that the demand of Rs. 1,59,000 under the head "32C.—Grants for medical purposes" be reduced by a sum of Rs. 10 (to draw attention to the fact that nothing has been done to mature the scheme for the establishment of a leper colony at Midnapore).

Sir, in moving this motion it will be necessary to again go into details, details that I have previously given on my former resolutions. Those who have been members of this House since 1921 may have forgotten the particulars of the proposed Midnapore leper colony and perhaps there are a number of new members who are not conversant with the details. Well, Sir, one generous donor contributed Rs. 50,000, another Rs. 25,000 and one club, I understand, contributed Rs. 10,000, making a total of Rs. 85,000—I say this from memory—for a leper settlement. Those good, philanthropical people's hearts were touched by seeing the distressing sight of the poor unfortunate leper beggars in and around Calcutta with kindly hearts, they generously dipped their hands deeply into their pockets and amongst them produced this handsome sum, the object being to purchase land to form a colony for these unfortunate people. A site was acquired by Government in 1922 at a cost of Rs. 52,550. This was done on the advice of a committee composed of Major-General Robinson, Surgeon-General, the Rev. Frank Aldrieve, Mission to Lepers and the District Magistrate and Civil Surgeon of Midnapore. A draft tentative scheme for a leper colony was drawn up at the request of the Government, it was submitted to them and had their approval. It was to cost Rs. 4 lakhs, the amount was to be distributed over a number of years.

On February 20, 1922, I brought forward the following resolution: "That this Council recommends to the Government that a sum of Rs. 50,000 be provided in the ensuing budget so that an immediate start may be made with the construction of the Bengal Leper Settlement, the land having been procured by the Government by private gift." The resolution after a discussion was passed unanimously. Shortly after this, I had a letter from the Government pleading their inability to carry out the resolution at present on account of funds. Knowing this was so, and being considerate, I did not harass the Government until they were in a better financial position, and on February 26, 1924, I again brought to the notice of the Council that two years had passed and nothing had been done. Colonel Deare

replied that he had inspected the place and a scheme had been drawn up. I was again patient and did not press the matter.

On March 1, 1926, I again drew attention to the fact that nothing yet had been done about the leper settlement at Midnapore, and on March 19, same year, I again approached the subject. I was on this occasion informed that they could not get water, that is to say, it took them over five years to discover this fact, one of the most important point that should have been ascertained before they purchased the land for a settlement without water would naturally be useless. On March 1, 1927, I again approached the subject and asked if they were still searching for water, had the time not yet arrived when something practical should be done. If the site was unsuitable, why not sell it and buy another? Now I am informed by the present Surgeon-General Tate that enquiries were made last year by the Collector of Midnapore as to prospective buyers but no offers were forthcoming and I understand the land will only bring about Rs. 4,000—land that cost the Government Rs. 55,550—worth about Rs. 4,000! Some one has blundered and censure should be given somewhere for this shameful waste of funds so generously given. Then a glimpse of hope is given in a report. Dr. Muir reported at the last meeting of the Committee that Mr. Edney, the water diviner, had visited the site and reported that sufficient water was available at two sites at a depth of 200 feet. Messrs. Scott and Saxby have submitted an estimate for sinking a tube well at a cost of Rs. 12,000—this is at present under the consideration of Government. It seems to me that the water diviner has found a well to sink a further Rs. 12,000 of the donors' money. Is it possible that one could produce a worse story of mess and blunders? We are continually asking, and rightly so, for charitable people to come forward and help our charity institutions, what a testimonial we have here of our incompetence and inability to properly utilise funds put to our trust! Caution should be a strong element in those entrusted with its administration. Has the remainder of this money been spent on another department, if so the spirit of encroachment of one department on another is not to be encouraged. Why not be candid and say the scheme is feasible. Sell the site for what it will bring and give the proceeds to the National Infirmary to be applied to the relief of infirm beggars— —

(At this stage the time-limit was reached).

Mr. J. CAMPBELL FORRESTER: May I have a minute more to finish my speech, Sir?

Mr. PRESIDENT: I am sorry I cannot allow you any more time, as the guillotine must fall now.

The motion of Mr. J. Campbell Forrester was then put and lost.

The time-limit under the head "32.—Medical" having reached, the following motions were not put:—

Kazi EMDADUL HOQUE: "That the demand of Rs. 8,55,000 under the head '32D.—Medical College and Schools' be reduced by Re. 1. (Ayurvedic and Hakimi systems supplanted by Allopathic system on establishment of medical schools and colleges and want of State support to Homœopathic and chief forms of indigenous treatment)."

Babu AMARENDRA NATH GHOSE: "That the demand of Rs. 5,60,000 under the head '32E.—Medical Mental Hospitals—Grants to Mental Hospitals' be refused."

Dr. KUMUD SANKAR RAY: "That the demand of Rs. 5,83,000 under the head '32E.—Mental Hospitals' be reduced by Rs. 5,00,000."

Babu AMARENDRA NATH GHOSE: "That the demand of Rs. 5,83,000 under the head '32E.—Mental Hospitals' be reduced by Re. 1 (to criticise the general policy of Government in regard to Mental Hospitals)."

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 47,61,000 under the head '32.—Medical' be reduced by Rs. 50,000."

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 47,61,000 under the head '32.—Medical' be reduced by Rs. 1,000."

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 47,61,000 under the head '32.—Medical' be reduced by Rs. 100 (to call attention to the distinction made between European and Indian members of the Indian Medical Service and to raise the question of medical administration generally)."

Maulvi NURUL HUQ CHAUDHURI: "That the demand of Rs. 47,61,000 under the head '32.—Medical' be reduced by Re. 1 (to express disapproval of the policy of the Government for its scanty recognition of the claims of the rural and agricultural interests as compared with the urban and industrial interests in making provisions in the budget for their respective welfare)."

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 47,61,000 under the head '32.—Medical (Reserved and Transferred)' be reduced by Re. 1 (to raise a discussion on the general policy and administration of the department)."

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs. 47,61,000 under the head '32.—Medical' be reduced by Re. 1 (to draw attention to the insufficiency of grants for hospitals)."

Maulvi SYED ABDUR RAUF: "That the demand of Rs. 47,61,000 under the head '32.—Medical (Reserved and Transferred)' be reduced by Re. 1 (to express dissatisfaction with the policy of the Surgeon-General for curtailing the requisite quantity of necessary drugs to the village dispensaries under the District Boards, Bengal)."

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 47,61,000 under the head '32.—Medical' be reduced by Re. 1 (on the ground that Government ought to spend more money for medical purposes and on the ground that the major portion of this sum is being spent on highly paid officers and that Government does not make any provision for Ayurvedic and also for Homœopathic system of treatment)."

Babu AKHIL CHANDRA DATTA: "That the demand of Rs. 47,61,000 under the head '32.—Medical (Reserved and Transferred)' be reduced by Re. 1 (to criticise the policy of the general administration of the department)."

The motion that a sum of Rs. 47,61,000 be granted for expenditure under the head "32.—Medical" was then put and agreed to.

33.—Public Health.

The Hon'ble Sir PROVASH CHUNDER MITTER: Mr. President, Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 37,61,000 be granted for expenditure under the head "33.—Public Health."

I find, Sir, that there are a number of amendments—many of them are token cuts which have been brought forward in order to discuss some of the items of this grant. In order to save the time of the House I would like to explain at this stage that the amount that I am asking the Council to vote for is about Rs. 8½ lakhs more than the actuals of 1927-28 and about Rs. 2½ lakhs more than the revised estimate of 1928-29. With regard to the grants for public health purposes, there is an increase of about Rs. 10 lakhs over the actuals of 1927-28, but there is an apparent decrease in expenditure in connection with epidemic diseases. This is purely due to a change of system and for the purpose of introducing a better organisation than to an intention of decreasing expenditure as the total increase in expenditure will show.

Mr. PRESIDENT: I shall take up motions Nos. 642 to 645 together, and there will be one discussion on them.

Srijut JOGENDRA NATH MOITRA: I beg to move that the demand of Rs. 7,50,000 under the head "33A.—Public Health Establishment" be reduced by Rs. 1,00,000.

Sir, the object of my moving this cut is to mark our disapproval of the action of the department for not making adequate provision for water-supply in rural areas. This department has only provided a ridiculously small amount, *i.e.*, Rs. 2,50,000 for the rural water-supply, and this small amount is to be given to the local bodies all over Bengal for the purpose. Those who have any idea of the extent of the scarcity of drinking water in the mufassal will at once realise the absurdity of a grant like this. The amount, if entirely expended in one district alone, cannot be considered as enough to meet its requirements. Sir, I do not intend to raise the doleful picture of men and women, who are daily suffering from scarcity of drinking water; some have to walk miles to get water, but the water thus obtained is often found to be dirty and unfit for human consumption. Many of the diseases that have laid hold on us are due to the use of filthy water for drinking purposes. The suffering of cattle and other domestic animals is most acute. Why should people suffer like this year after year, when they are paying for the maintenance of an expensive establishment like this?

Mr. PRESIDENT: I see the chief idea at the back of your mind is to effect an economy and not merely to express your disapproval of the management of the department.

Srijut JOGENDRA NATH MOITRA: Sir, I would not have pressed this motion if the answer given by the Hon'ble Member-in-charge to the question of my friend Babu Manmatha Nath Roy had been reassuring.

The Hon'ble Sir Provash Chunder Mitter as a Minister made definite announcement last year that his scheme for the loan of a crore of rupees for the rural water-supply had been accepted by the Government. Just a year ago (I believe on the 27th March last) the Hon'ble Member as a Minister said that "on the scheme which has been accepted by the Government and which has also been accepted by the representatives of district boards at the District Boards Conference, we may at once place at the disposal of the various district boards a sum of rupees one crore. The actual amount will be spent on applications that come from different district boards, and I hope that before the next budget is presented, this scheme will be completed and the money found there for it."

Sir, from the clear utterances of the Hon'ble Sir Provash as a Minister we had naturally built up hopes that the statement made was true and sincere and that the scheme would fructify from this year, *i.e.*, the year under review. But, Sir, you can well imagine our disappointment when we could find not a trace of the much talked of scheme in the budget.

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Now the Hon'ble Member says that it is not possible to ask the Government of India for a loan until the total amount likely to be required, and the number of years over which the total loan to be taken from that Government would be spread, are known. That is what he says in answer to a question of Srijut Radha Gobinda Ray.

Sir, I fail to find out any consistency between the two statements coming from the same authority. The minimum amount required to tackle the water-supply problem in rural areas has been ascertained in the Conference of District Boards and after full discussion the representatives of the district boards accepted the scheme in all its bearings. After that, how can the question now arise that it was not possible to ask the Government of India for a loan unless the total amount required and the conditions of payment were known. I can assure the Hon'ble Member that if the loan scheme is not a myth all the district boards will eagerly come forward and apply for their quota of loan for the rural water-supply.

I am quite prepared to withdraw my motion if the Hon'ble Member gives the House a clear and definite assurance that the original loan scheme of a crore of rupees will be accepted by the Government and money will be available for the purpose of rural water-supply from the next financial year.

Srijut RADHA GOBINDA RAY: I beg to move that the demand of Rs. 7,50,000 under the head "33A.—Public Health Establishment," be reduced by Rs. 50,000.

Sir, I need not dilate upon the importance and necessity of the Department of Public Health in this cursed province of ours. The function of this department is to formulate sanitary principles and take steps for the prevention of disease. Sir, Bengal is surely a cursed province and all sorts of diseases are creating havoc amongst the population of this province: malaria, cholera, kala-azar, tuberculosis, influenza, leprosy and many other preventible human ailments are taking away huge tolls of human population from this Presidency every year———

Mr. PRESIDENT: At the outset I had better remind the member that he should confine himself to the limits of his motion.

Srijut RADHA GOBINDA RAY: The condition of the normal health of the people of Bengal is too pitiable to be described in words. The report of the Students' Welfare Committee ——

The Hon'ble Sir PROVASH CHUNDER MITTER: May I rise on a point of order, Sir? His motion is to reduce the demand by Rs. 50,000 and I submit that what he is now saying cannot come within that.

Mr. PRESIDENT: Mr. Ray, your motion is not a token cut motion and as such it does not give you much scope to discuss the general situation or to elaborately criticise the policy of the department concerned. You have proposed a big cut and your endeavour should be to show that economy can be effected to the extent of your proposal; but you are not doing that. If you cannot alter your set speech accordingly I would advise you to speak on the token cut motion No. 645, when it is moved.

Srijut RADHA GOBINDA RAY: I would prefer to speak on No. 645 then.

The following motion was called but not moved:—

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 7,50,000 under the head '33A.—Public Health—Establishment' be reduced by Re. 1 (to discuss the present system of work)."

Kazi EMDADUL HOQUE: I beg to move that the demand of Rs. 7,50,000 under the head "33A.—Public Health Establishment" be reduced by Re. 1. (Insufficient allotment for improving the health of the people)."

The object of this motion is to express disapprobation of this Council of the Government policy in the matter of public health establishment. For some time it was in the contemplation of Government to start some village public health organisations in malarial areas, and if I remember aright His Excellency the Governor gave an assurance in his Dacca speech that the public health thana units would be completed by the end of 1929-30, but we do not know how far that promise of His Excellency has been acted up to till now. If there is any institution for which Government deserve thanks it is this but the Government are not providing sufficient money for running this department. The scanty provision that the Government make is not sufficient to cope with the prevention of very many diseases such as kala-azar, malaria and other fell diseases. Until and unless such institutions are established in rural areas the village

people will remain where they are. I, therefore, ask the Government to move about from place to place and go into the interior of the villages to see the distressful condition of the people there and to see how they are smarting under pain and how they are getting on in matters of medical relief. Sometimes they do not get a drop of medicine even when they fall ill, so Government should not be callous to the sufferings of these dumb suffering millions. If Government want to be popular they must provide first of all for these dumb suffering millions in the villages but the Government put oil on oiled heads. Government provide money for wealthy people who live in towns or near about towns but do not provide any money for the large number of poor village people who are dying of malaria, kala-azar and other deseases, for want of treatment. My suggestion is that Government should not make any further delay in sending out people to the interior to get first hand knowledge of the affair with a view to remove the sufferings of the people who live there. With these words I move my motion.

Mr. PRESIDENT: Mr. Ray, you can now speak on this motion.

Srijut RADHA GOBINDA RAY: The report of the Students' Welfare Committee reveals a very tragic fact about the health of the student population of Bengal. The Report says that "the health of only one in three is generally sound." (Page 111 of the Report). I may assert that a healthy child is almost rare in our land. In my district, of which I claim to have a very wide experience, I have come across a very few people who can be said to have good health. Half a century ago Bengalis had a very sound physique but now they are a race of physical wrecks. Healthy physique is seldom to be found. Now, Sir, the question naturally arises—Why is this so? The reason is not far to seek. The economic condition of the people is so miserable that a very few can afford to have proper nourishment. A majority of the people do not get two full meals a day, not to speak of such costly nourishment as milk, butter, ghee, fish and flesh, etc. The poor cultivators who work hard in the fields in the hot summer and chilly winter, from sunrise to sunset, from year's end to year's end, do not get two stomachful meals a day. They generally die at premature ages for want of proper nourishment. The rural population is compelled to live in most insanitary surroundings and catch the infection of several diseases which germinate in such unhealthy and insanitary atmosphere. Pure drinking water is a rare commodity. There is no sanitary drainage system in our mufassal towns and villages; our traditional knowledge of a sanitation has been throttled to death because extreme poverty does not afford us any opportunity to live according to our shastric sanitary injunctions.

People who cannot afford to have two full meals a day cannot be expected to spend money for sanitary requirements. Poverty is the root cause of all these troubles. Poverty has robbed us of our social and sanitary instincts. Poverty is the cause of ignorance and ignorance is the cause of all troubles which are creating havoc in our rural population.

The disease must be diagnosed at its root. The root cause of poverty is the systematic economic exploitation for more than a century by the band of British people who are here in our land in the guise of rulers and merchants.

In order to divert our attention from the real cause systematic attempts have been made and are made by British exploiters to prove that our social habits are the root causes of all these evils. Child marriage, purdah and many other age-long social habits they say are the causes of infantile mortality, bad health and other ailments which are carrying away the people of Bengal to death's door. I need not dispute about the partial accuracy of these remarks. But, Sir, are these the primary causes? Sir, extreme poverty, bad and insanitary surroundings, improper nourishment, want of pure drinking water, bad drainage, obstruction of the water passages, channels and the free flow of river waters, these are the root and primary causes of such tragic death rolls and perverted health amongst our people—social habits only helping to increase the impetus. The one primary cause of all these evils—if we trace a little further and enter into the deeper interior—is the reckless economic exploitation of our rulers and their total neglect of looking after the people's welfare.

Here in the budget we find that a modest sum of Rs. 37,61,000 has been set apart for spending to improve the sanitary condition of a province with an area of 76,843 square miles and a population of 46,695,536. This sum would not have been sufficient even if Bengal could have been ranked and classed as a "healthy province." Even in this small sum we do not find any systematic and reasonable distribution of expenditure. The white cousins of Government come in for a large proportion of its share. We have got to provide for eight Directors and Assistant Directors of Public Health with salaries ranging from Rs. 2,400 down to Rs. 933 at a total cost of Rs. 1,29,972 as salaries.

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Rs. 65,000 travelling allowance, Rs. 14,500 house rent allowance and Rs. 7,500 cost of passages under the Superior Civil Service Rules, 1924. Huge death roll of Bengal will certainly be saved by paying these white men. Widows and orphans of innumerable Bengali homes will no doubt get a very good consolation when they will hear that their representatives in the Council have sanctioned their benign

Government the huge sum of Rs. 7,50,000 for keeping the "Health Experts." What these health experts have done, Sir, I humbly beg to ask. Certainly by writing volumes of hygienic theses they cannot drive the diseases out of Bengal. I boldly assert—though my boldness will perhaps be derided by my European friends in this Council—that such costly civil captains are not necessary to train and equip the required battalion of soldiers to fight out the maladies in Bengal. Let there be a non-official committee of experts forming a "Health Board" with two practical sanitary experts having wide experience as Secretaries. Calcutta and Bengal outside Calcutta can supply numbers of such doctors, I mean health experts, who are willing to act on this Board without any remuneration. What is the necessity of such a huge establishment with big officials. Dr. Bentley has schemes ready but where is the money to work out his schemes?

Finally, I want to say as a layman that no amount of sanitary schemes will be of any avail unless and until the root and real cause of all maladies be eradicated. Improve the economic condition of the people, give them pure water to drink, make arrangements to improve the sanitary conditions of villages and the health of the people will improve. Such large band of experts hatching out fruitless schemes is redundant and unnecessary. Remove a few of them and spend the money thus saved for the treatment of the disease at its root.

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, Srijut Jogendra Nath Moitra and Srijut Radha Gobinda Ray in their motions have asked for substantial reductions the former asking for a reduction of one lakh and the latter for Rs. 50,000; and yet their speeches showed as if their motions were for token cuts. There was a motion for a token cut on which their speeches would have been relevant. However, I will take their points one by one.

Babu Jogendra Nath Moitra complained about the breach of promise on the part of the Government in regard to the rural water-supply scheme. On comparison with my previous statement and my statement the other day in the Council in answer to a question of Babu Manmatha Nath Roy, he attempted to make out a case that Government did not keep to its promise. But it is nothing of the kind. I have got here my answer to Babu Manmatha Nath Roy's question, and what I had said previously I only repeated there. The fact is this: Rs. 2½ lakhs which Government promised to pay temporarily for a period of five years was made permanent and it was expected that the district boards should pay Rs. 5 lakhs. With this Rs. 7½ lakhs a loan of about one crore of rupees could be raised. That scheme was accepted by Government as a whole and is still an accepted scheme. The District Board Conference which sat towards the end

of 1927 agreed to the broad outlines of this scheme. But later on many of the district boards went back upon what their representatives had accepted at the Conference. Eight or nine district boards told us that they would have absolutely nothing to do with the scheme. Others put forward counter-proposals and only a few were willing to proceed with the scheme. But barring two or three district boards none applied in time. Even if they had applied in time it would have required a readjustment of the financial aspects of the scheme as the scheme was for the whole province. If Rs. 5 lakhs which was expected from the district boards were reduced, then it was inevitable that the sum contributed by Government would be proportionately reduced. I explained these difficulties in an answer to the question and I was criticised by Babu Naliniranjan Sarker for the length of my answer. I repeat again, as I repeated in my answer recently, that if the district boards would come forward with their contributions, it would be possible to have the loan raised next year. It was not possible to have the loan raised this year because many of the district boards went back from their original idea. It is no good for district boards or their representatives trying to throw the blame on Government and it is no good for Government either to throw the blame on district boards. The best course would be to help each other by going into the details as without details a big scheme like that could not be brought into operation. If my friend Babu Jogendra Nath Moitra and Babu Radha Gobinda Ray would go back to their respective districts and enquire more about the details and try to find out what the difficulty is in their respective districts, I am sure some good will come out of their efforts.

Sir, I hope that this explanation will make it unnecessary for me to go into the matter again when the next motion No. 646, which stands in the name of Khan Bahadur Maulvi Azizul Haque, is moved.

Kazi Emdadul Hoque said that the public health organisation is being delayed. Sir, in this very budget we have a provision of Rs. 9 lakhs as against Rs. 6 lakhs of last year, and the total cost would be about Rs. 12 lakhs; so that it is not reasonable to say that we are delaying matters. It is necessary to have trained men to push on with this scheme and even with Rs. 9 lakhs which we have and the trained men we have, it may be possible to cover the whole province with the organisation if the district boards want to employ men with a lower salary. On the other hand if the district boards want better paid officers it can only be done with 12 lakhs of rupees. I submit that it is not just to criticise Government for delaying the public health organisations.

In the second speech of Srijut Radha Gobinda Ray he spoke a good deal about *sastric* injunctions and he was very bitter on Europian methods. I think it would have been better if he had not referred

to *sastric* injunctions. He and those who think like him are quite at liberty to follow their *sastric* injunctions, but how is that relevant to the present discussion? I fail to see how the *sastric* injunctions come in in connection with a Government demand for a grant on public health. If my friend relies on his *sastric* injunctions, can he fairly expect his friend opposite the Khan Bahadur to accept his *sastric* injunctions? But of course that is not possible. So, the less said about these *sastric* injunctions the better for all concerned; particularly when we are dealing with mundane subjects like public health organisations. Babu Radha Gobinda Ray was also very bitter about European officers in the department. I may say there is only one European officer in the department, namely, Dr. Bentley, and others are all Indians. If we are to take a plebiscite on Dr. Bentley I am sure Babu Radha Gobinda Ray would be in a hopeless minority. Apart from any question of Indian or European officers, improvement in public health cannot be effected without a proper staff. What is the use of going into vague generalities? How can you improve public health if you take away the staff? I propose not to treat Babu Radha Gobinda Ray's vague generalities with any seriousness.

With these observations I oppose all these motions.

The motion of Srijut Jogendra Nath Moitra was then put and lost.

The motion of Srijut Radha Gobinda Ray was then put and lost.

The motion of Kazi Emdadul Hoque was then put and lost.

Mr. PRESIDENT: The House will remember that recently I gave a ruling to the effect that motions for token cuts will be deemed incomplete and consequently inadmissible if members who gave notice of such motions failed to give their reasons for proposing such cuts. Here is a case which comes under the operation of that ruling.

Khan Bahadur Maulvi Azizul Haque's motion No. 646 is a token cut motion but he has not given any reason for giving notice of the same. The motion therefore does not arise.

The following motion was called but not moved:—

Babu AMARENDRA NATH GHOSE: "That the demand of Rs. 25,63,000 under the head '33.—Public Health—Grants for public health purposes' be reduced by 4 annas (to criticise the allotment for vaccination, water-supply, etc.)."

Mr. PRESIDENT: I think I shall have one discussion on motions 648 to 660; but some of these motions do not arise because no reasons have been given by the intending movers although those are motions for token cuts. I read out the numbers of those motions which should not be taken up, *viz.*, motions 648, 649, 651, 654 and 660 which do not arise for reasons I have already stated. The other motions may be discussed together.

The following motions were called but not moved:—

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 2,00,000 under the head '33B.—Public Health—Malaria charges' be reduced by Re. 1 (to discuss the insufficiency of the grant)."

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 50,000 under the head '33B.—Public Health—Kala-azar survey' be reduced by Re. 1 (to discuss the insufficiency of the grant)."

5-50 p.m.

Babu BEJOY KRISHNA BOSE: Sir, I beg to move that the demand of Rs. 2,80,000 under the head "33B.—Expenses in connection with epidemic diseases" be reduced by Rs. 100. Sir, I do not want to deliver a speech which will be characterised as vague, or a speech couched in general terms, without criticising the policy of Government. I have given notice of the reason why I want to move this motion. My reason is to draw the attention of the House to the want of a definite policy of Government to meet the situation and to the failure to accept the recommendations of its advisers. Now, what is the situation about which there is no definite policy of Government? We find from the published reports that in Bengal out of a total population of a little over 45 millions, 30 millions are infected with malaria, that is to say, 15 millions of people in Bengal are not infected, whereas 30 millions are infected, and of these 30 millions, 10 millions are suffering from acute form of malaria. In order to meet the situation, what is the policy adopted by Government? That is the first question that strikes one as he goes through the public health budget. Now, with regard to this policy, all we find is that Government has no policy, because in order to weed out malaria, the true index from which we could gather how Government is trying to wage war with malaria, is the expenditure provided in the budget to combat the same and other diseases. It is a very fluctuating figure. In the year 1922-23 the demand under this head was for Rs. 1,14,680. In 1924-25 the amount rose to Rs. 2,54,480. In the year 1927-28 it came down to Rs. 1,94,384. The next year it again rose to

Rs. 2,72,000, and in the budget estimates for the next year the amount demanded is only Rs. 2 lakhs. What is the meaning of this fluctuation? Sometimes it is one lakh and some thousands, sometimes it is considerably over two lakhs, and sometimes it is two lakhs, as we find in the present budget. With regard to kala-azar and other fell diseases which are now devastating Bengal, we find that in 1927-28 the amount provided was Rs. 2,00,779. In 1928-29 kala-azar increased, but the amount fell by over Rs. 50,000, because the budget of 1928-29 provided for a sum of Rs. 1,50,000 only. And the wonder of wonders is that in the present budget the amount demanded for kala-azar campaign is only Rs. 50,000. For other epidemic charges on the transferred side I find that the Government has come down from a provision of Rs. 1,57,000 to only Rs. 30,000 in the present budget. It seems ridiculous that while malaria, kala-azar and other epidemic diseases are devastating the country, the provision for meeting these curses is coming down by leaps and bounds. I am quoting the figures from page 77 of the red book and page 239 of the green book. Now, Sir, long ago in the year 1924 it was said in the report of the Retrenchment Committee "that the country is without a practical remedy for the prevention of malaria on a large scale," and I find that from the year 1924 down to the present year 1928-29, pretty large sums were provided for combating malaria, kala-azar and other epidemic diseases, but it is wonderful that in the present budget only Rs. 50,000 has been provided for kala-azar, Rs. 30,000 for other epidemic diseases and Rs. 2 lakhs for malaria. From these figures it is quite apparent that Government has no policy to meet the situation.

Then, Sir, I wanted to raise a further question, namely, the failure of Government to accept the recommendation of its own advisers. There ought to have been a policy if the Government was bent upon believing or trusting its own officers. I entirely agree with my hon'ble friend, Sir P. C. Mitter, that Dr. Bentley is so popular with all sections of the people—official and non-official—that my friend Srijut Radha Gobinda Ray would not get more than five men to join him in criticising Dr. Bentley. Now, Dr. Bentley in the year 1925 submitted a report to Government, and he prefaced it by writing three lines—"The following report on malaria in relation to the agricultural conditions of Bengal is submitted for the information of the Government of Bengal." May I know, Sir, what has the Bengal Government done since the year 1925 to accept or reject the report of Dr. Charles Bentley, embodied in a book form, which was circulated to all the members. I will not make large quotations from that book: it has been very widely read by officials and non-officials. In regard to the specific subject of malaria, Dr. Bentley's views, as given at page 67 of his book, are as follows: "Briefly summarised the measures

that must be adopted to avert the spread of malaria in all districts possessed of healthy deltaic or sub-deltaic areas are as follows:—

(1) Prohibition of further embankments.
(2) Survey of existing embankments and their waterways.
(3) Survey of river channels and other water-courses.
(4) The mapping out of local spill areas and lines of drainage.
(5) Improvement of existing water channels.
(6) Examination of the local water-table."

Then he went on to say: "In addition to the measures enumerated above, an attempt must also be made to determine, as accurately as possible, the existing conditions in respect both to malaria and agriculture. Much of the work thus briefly outlined can be undertaken immediately by the existing staffs of engineers, overseers and sub-overseers and the health officers employed by district boards." So, no extra money is immediately required. May I ask the Government what has been done to carry out the recommendations of its own officer, Dr. Charles Bentley? Further, Sir, he points out at page 122 of his book that "the only possible solution of the problem of Bengal malaria is bonification." He has given his opinion to Government and published it. What has been done, what steps have been taken by Government to investigate the matter in order to carry out the recommendation of its own officer? I will quote another passage from this book to show another recommendation made by this officer, which has not also been acted upon by Government. At page 155 of this book he says: "As this report will show, evidence has been accumulating which points to the necessity of approaching the whole question of the amelioration of malaria in the delta tracts from a much broader standpoint than has yet been adopted; and which suggests that we must look to large irrigation projects and the increased supply as well as the regulation of surface water for the final solution of the problem of Bengal malaria." Now, the Public Health Department consists of two sections—one the health section and the other the irrigation section under an Engineer. It appears from page 77 of the red book that there is no irrigation project with the exception of one, costing only Rs. 1,400: that is all the work the Engineering branch of the Public Health Department has done. Finally, Dr. Bentley suggested the appointment of an irrigation commission for the purpose of looking into the irrigation problem in order to solve the problem of malaria in Bengal.

Sir, we were present at the meeting, over which you had the honour of presiding, in the rooms of the British Indian Association, where Sir William Willcocks delivered a speech on the 6th March, 1928. On the 11th March, in the course of a debate which was raised

in this Council in connection with the suggestions made by Sir William Willcocks, a great irrigation authority of Bengal, Nawab Saiyid Nawab Ali Chaudhuri said that Sir William Willcocks' suggestions were the " fruits of five weeks' stay," and were the result of " hastily formed impressions." I wish other authorities in similar position could say so of all European gentlemen visiting India and giving their impressions. It is all very well to say these things when Sir William Willcocks left for Egypt. It will be seen from page 7 of his speech that when delivering the speech he said: " I have purposely put off my return to Egypt for a week so that I may go out with anyone who calls in question what I am going to say and examine the ground on the spot. Though I shall have spoken the naked truth, it is the truth which I shall have spoken." He threw out a challenge to Government, to Mr. Addams-Williams and to Nawab Saiyid Nawab Ali Chaudhuri, to contradict the truth he was telling. Sir P. C. Mitter, in a speech of gushing eloquence, thanked Sir William Willcocks for his great speech. Little did Sir William Willcocks think that Sir P. C. Mitter's colleague would say that his observations were the result of hastily formed impressions gathered after a five week's visit to this country. He advocated overflow irrigation as did Dr. Bentley before him. He charged Government with allowing miles upon miles of great canals to silt up and be degraded. He advocated the improvement of the off-takes of the Ganges, the protection of banks, the resuscitation of canals, etc., etc.

6-5 p.m.

Sir, I find that Sir William Willcocks further stated: " The Government of India never identified itself with the people of India, it acted as though it had no duties and no obligations to the poverty-stricken people who were often poor owing to the ignorance of the Government itself. It accepted its obligations on rare occasions and on a very small scale."

The Engineers of the Public Health Department are content not with irrigation projects, but only with small drainage and water work projects—that is the outcome of the labours of this pampered department.

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, may I rise on a point of personal explanation? I may tell you, Sir, that the Public Health Department has no Engineers and that it has nothing whatever to do with irrigation schemes, big or small.

Babu BEJOY KRISHNA BOSE: It is all the more pity that one Member is in charge of Irrigation and a minister is in charge of

Public Health. The appointment of an Irrigation Commission was advocated by Dr. Bentley with a view to the prevention of malaria: it was also advocated by Sir William Willcocks: but there is no need to further pursue the matter. Perhaps Sir William was considered a visionary. May I ask, Sir, whether Sir Malcolm Watson who came out to India the other day was another visionary? It is no wonder that when these scientific experts come out here, they blame the Government for the present state of things—for not taking adequate measures for the prevention of malaria and other epidemic diseases. Sir Malcolm said of what he had seen " as tragic beyond words." Sir, that was the impression of Sir Malcolm Watson.

I would now refer this House to the observations—not of a globe-trotter, not of a visionary, not of a scientific expert, but to what was said by one who ruled over us for five long years. Lord Ronaldshay said regarding this matter: "I frankly confess that I was shocked at the grim tragedy which my enquiries disclosed."

Therefore, I think, Sir, that I have sufficiently made clear the ground for my contention that there is no doubt whatsoever that a serious problem awaits the Government, namely, the solution of the problem of malaria—how to drive out malaria from the land. What is Government doing—merely supplying quinine and mosquito nets and delivering lectures at various places. Is all that enough for the purpose of driving out malaria? May I, Sir, refer to what a great authority—Sir Edward Buck—said: " Malaria cannot be successfully combated merely by the distribution of quinine and the supply of mosquito nets. The Government of a country devastated by the disease must conduct its campaign under the generalship of the Engineer and the Agriculturist, rather than of the Sanitary Commissioner and the medical scientist."

Sir, this is what was said a decade ago. My hon'ble friend, Sir Provash, said just now that there is no Engineer under the Public Health Department. Sir Edward Buck said that under the generalship, not of a doctor but of the Engineer and Agriculturist that the campaign against malaria should be conducted. Shame to Government which says to-day that it has no Engineer in the Public Health Department. Why did not the Government examine the remarks made by Sir Edward Buck? Did not the Government ever imagine that there ought to be Engineers in this department in order to drive out malaria by means of irrigation and other things? But it seems that these things did not strike the Government. It shows therefore that Government is callous to the sufferings of the people. It never thought that it had its duty towards the people. The suggestions of Dr. Bentley, the head of this department, they never accepted nor carried out. I almost think that he too is looked upon as a visionary. May I therefore ask, Sir, what is the Government policy

with regard to malaria? Merely supplying quinine and mosquito nets? I know that my hon'ble friend will wax eloquent over Rs. 12 millions promised by Dr. Bentley.

Mr. JOGESH CHANDRA GUPTA: Rs. 12 lakhs.

Babu BEJOY KRISHNA BOSE: I stand corrected, Sir. Rs. 12 lakhs promised by Dr. Bentley for opening out public health centres in the different thanas. But what will these health centres do? I find from Dr. Bentley's circular letter that he thinks that something like 600 or 700 health centres might be opened in police-stations and that about 300 or so have already been opened. Well, these health centres which have been opened in the different thanas are looking not only to malaria and kala-azar cases but also to all other diseases. They are no part of a scheme to combat malaria and kala-azar. What I find stated in the budget is that an "intensive campaign" for the purpose of combating such diseases as malaria and kala-azar, small-pox and half a dozen diseases will be carried out by Government. But, Sir, you will laugh when you look at the grey book, as you will find there that for intensive anti-malaria measures in rural areas a *huge* sum of Rs. 80,000 has been provided; and they call it "intensive." What a shame! Thirty millions of people are suffering in Bengal from malaria and out of these 10 millions are suffering from acute form of malaria and an "intensive campaign" is to be carried out with Rs. 80,000. It is really a tragedy how money is wasted!

Then, Sir, the Hon'ble Member was full of anger at the speech of Babu Radha Gobinda Ray who criticised the Public Health budget. Whereas we have got Rs. 80,000 for an "intensive anti-malaria campaign," if you look at page 236 of the Transferred budget on the Public Health side, what do you find? Out of the Rs. 5,54,000, pay and establishment swallow up Rs. 2,95,932; house rent Rs. 65,000; cost of passage, etc., Rs. 7,500. Therefore, it comes to this that out of Rs. 5,54,000, Rs. 2,95,932 is spent on pay and establishment and only Rs. 80,000 on intensive campaign. Comment is needless.

[At 6-15 p.m. the Council was adjourned and it reassembled at 6-30 p.m.]

Mr. PRESIDENT: I may tell the House that the guillotine falls at quarter to seven o'clock on the demand under discussion.

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, I hope that I shall be allowed some reasonable time to reply.

Mr. PRESIDENT: What do you mean by reasonable time?

The Hon'ble Sir PROVASH CHUNDER MITTER: I think I am entitled to have 10 minutes in view of the criticisms that have been made.

Mr. PRESIDENT: I think that may be possible.

Babu MANMATHA NATH ROY: I beg to move that the demand of Rs. 2,80,000 under the head "33B.—Public Health—Expenses in connection with epidemic diseases" be reduced by Rs. 100.

In moving this token cut I want to bring to the notice of the House———

Mr. PRESIDENT: Mr. Roy, I shall be much obliged if you will be very brief.

Babu MANMATHA NATH ROY: Yes, Sir. As I was saying, by this token cut I want to bring to the notice of this House the absolute inadequacy of the grant and the reduction that has been made in the several items under this grant. On looking at page 77 of the red book (Budget 1929-30) we find that reductions have been made in respect of three of the principal items covered by this head, I mean the grants for quinine, anti-kala-azar campaign, and anti-cholera vaccine. It is well known that the three epidemics which have the largest toll of lives in this Presidency are malaria, kala-azar and cholera. In the case of malaria its spread and intensity are to some extent controlled by the free supply of quinine by Government and the district boards in this Presidency have carried on their anti-malarial campaign with the aid of this free supply. Now a reduction by one-third in respect of this free grant is bound to handicap the district boards considerably in their anti-malarial campaign. District boards have felt, and I know from personal experience in the case of the District Board of Howrah, that this grant is inadequate. On many occasions the district boards have to supplement this free supply with the aid of their own funds under pressure of considerable financial difficulties. And this reduction in the Government supply will very largely tell upon the resources and capacity of the district boards.

The next item is that of anti-kala-azar campaign. I say from my personal experience in the case of the District Board of Howrah that when the Government announced—I believe it is about two years ago—that they would place at the disposal of the district boards adequate funds for this purpose, my district board initiated an organisation for this purpose and that organisation has been working very well. Now, Sir, only very recently a circular was issued by the Government that this grant would be reduced by 2-3rds and now my district board find itself in very great difficulties and it does not yet know what it will do with this organisation. It is well known, Sir,

that district boards work under very great financial stress and difficulties and as the result of this curtailment, the district boards may have to do away with their organisations formed for combating kala-azar during the last two years.

Lastly, in the case of anti-cholera vaccine it appears from the budget of the current year that Rs. 1,36,000 was provided and this amount was reduced to Rs. 36,000 in the revised estimate, but for the next year no allotment whatever has been made in respect of this item! Mr. B. K. Bose has asked a question regarding the policy behind the allotment on the several items and I hope the Hon'ble Sir Provash Chunder Mitter, who is expected to know the real state of affairs in the country, will enlighten us on the point and I wait to hear what he has to say in justification of these reductions and omission.

The Hon'ble Sir PROVASH CHUNDER MITTER: Although my hon'ble friend Babu Manmatha Nath Roy wants to hear me there is very little time left for me to reply as I have to reply to all my friends in a very short time. I will begin by saying that the Director of Public Health in a letter to Government asked for co-ordination of policy and with your permission, Sir, I will read a few lines from that letter:

"With the establishment of thana health units, the many problems of public health would admit of easier and more effective solution at a cheaper aggregate cost to provincial and local funds. In the absence of adequate medical and health establishments to serve the rural populations, it has been necessary to provide separately for different items, such as cholera, small-pox, malaria, kala-azar, maternal and infant mortality, which are only parts of public health. The advent of a regular public health organisation, sufficiently numerous and effectively articulated into a common homogeneous whole, would form a provision capable of undertaking all the medical and health requirements of the non-urban areas. It should then no longer be necessary for provincial and local revenues to suffer a proportion of ineffective expenditure of funds by reason of duplication and overlapping of efforts. In this view, the Provincial Government and the district boards would both stand to profit by the net saving effected by both. The aggregate funds available for public health could be pooled and utilised for all the various aspects of public health demanding varying attention in different areas."

We all know that the resources of the district boards are slender. We also know that although Government resources are better than the resources of the district boards yet the Government of Bengal are not very flush with money. So if we want to solve these admittedly important problems the remedy is to raise it with a policy behind it

and the health organisation and the establishment of thana health units is the beginning of that policy. So that at the present moment if we have a regular health unit for each thana we really map out the province as a whole. Take the case of a particular district. If you spend a certain amount say on cholera or kala-azar or whatever it may be for a district with an area of 3,000 or 4,000 square miles there is likely to be a good deal of waste and our resources are so very limited that we cannot afford to waste a single rupee. That being so the policy adopted by the Government at the instance of a very enthusiastic and public-spirited Director of Public Health is the policy of establishing health organisation units in each thana. That accounts for the redistribution of expenditure, but as I have already pointed out in my opening remarks that although our expenditure has been redistributed we are not spending less. The actuals of 1927-28 was Rs. 2,99,016 and the budget estimate for 1929-30 is Rs. 37,61,000, so it is about Rs. 8½ lakhs more than the actuals of 1927-28.

Some criticism has been made about cholera vaccine and Mr. Roy and Mr. Bose both of them I believe have referred to page 77 of the red book but I would draw the attention of the House to what is set out at the bottom of page 76 and top of paragraph 77 of the red book. There it has been pointed out that we are now manufacturing our own vaccine from the Bengal Vaccine Laboratory, with the result that last year what we had to purchase at a heavy expenditure from Germany and Madras it is no longer necessary to purchase now. We have been manufacturing vaccine but we have not gone back on the policy of free distribution of vaccine and if we can manage with less amount of money to give the same amount of vaccine that is no ground for legitimate criticism. Here again by saving money from the purchase of cholera vaccine by manufacturing our own vaccine we are proceeding on right lines.

Mr. JOGESH CHANDRA GUPTA: How have we applied the saving?

The Hon'ble Sir PROVASH CHUNDER MITTER: By giving Rs. 8½ lakhs more to the Public Health Department.

Then Mr. B. K. Bose criticised a good deal about irrigation schemes of Government. I need only remind the House that the House to-day is not voting on the irrigation budget and that they have voted on the irrigation budget the other day. As I have no time at my disposal and the irrigation budget is not before the House I do not propose to say what the Irrigation Department has been doing but I will only explain that the Engineering Branch of the Public Health

Department has nothing to do with irrigation; its duty is to deal with water-supply in municipalities, drainage and so on. The policy of the Government I have already said so far as the Public Health Department is concerned is to start with organisation and the central point of that policy is the thana health unit scheme. We have been told that to drive out malaria the grant is inadequate. I admit that the question of driving out malaria is a very big question and will require a good deal of money, but to drive out malaria, one thing more necessary than money is the organised effort of the people.

The grant of Rs. 80,000 has been referred to jeeringly as provision for an intensive scheme but are the local bodies coming forward with their contribution? They are not; if they come forward the whole grant will be spent and more will be available if necessary.

As regards kala-azar I have one word to say.

(Here the time-limit under the head "33.—Public Health" having reached, the Hon'ble Member was not allowed to continue.)

6-50 p.m.

The motion of Babu Bejoy Krishna Bose was then put and a division was taken with the following result:—

AYES.

Ahamad, Maulvi Asimuddin.	Khan, Khan Sahib Maulvi Muazzam Ali.
Ahamad, Maulvi Kasiruddin.	Maiti, Babu Mahendra Nath.
Bagchi, Babu Romee Chandra.	Poddar, Mr. Ananda Mohan.
Banerjee, Babu Prometha Nath.	Rahman, Maulvi Shamsur-
Bannerjee, Babu Jitendralal.	Rahman, Mr. A. F. M. Abdur-
Basu, Mr. P. C.	Ray, Dr. Kumud Sankar.
Bose, Babu Bejoy Krishna.	Ray, Srijut Radha Gobinda.
Chaudhuri, Maulvi Nurul Huq.	Roy, Babu Manmatha Nath.
Dutt, Babu Saral Kumar.	Roy, Mr. D. N.
Ghose, Babu Amarendra Nath.	Sarker, Babu Naliniranjan.
Gupta, Mr. Jogesh Chandra.	Sattar, Mr. Abdool Razak Hajee Abdool.
Haque, Kazi Emdadul.	Sen, Srijut Nagendra Nath.
Husain, Khan Bahadur Maulvi Syed Maqbul.	Suhrawardy, Mr. H. S.

NOES.

Blair, Mr. J. R.	Marr, the Hon'ble Mr. A.
Cassells, Mr. A.	Martin, Mr. G. S.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.	Mitter, the Hon'ble Sir Provash Chunder.
Dash, Mr. A. J.	Moberly, the Hon'ble Mr. A. N.
Drummond, Mr. J. G.	Ormond, Mr. E. C.
Ghose, Mr. M. C.	Rose, Mr. C. P.
Garner, Mr. G. W.	Stapleton, Mr. H. E.
Hogg, Mr. G. P.	Tate, Major General Godfrey.
Hopkyns, Mr. W. S.	Thomas, Mr. H. W.
Hussain, Maulvi Latafat.	Thompson, Mr. W. H.
Jenkins, Dr. W. A.	Travers, Mr. W. L.
Khan Chaudhuri, Mr. M. Ashraf Ali.	Twynam, Mr. N. J.
	Wordsworth, Mr. W. C.

The Ayes being 26 and the Noes 25, the following motion was carried:—

"That the demand of Rs. 2,80,000 under the head '33B.—Expenses in connection with epidemic diseases' be reduced by Rs. 100.

(Want of a definite policy of Government to meet the situation and failure to accept the recommendations of its advisers)."

The motion of Babu Manmatha Nath Roy was not put as it was covered by the foregoing decision of the Council.

The time-limit under the head "33.—Public Health" having reached, the following motions were not put:—

Mr. SATYENDRA CHANDRA GHOSH MAULIK: "That the demand of Rs. 2,80,000 under the head '33B.—Public Health—Epidemic diseases' be reduced by Rs. 100. (Not enough provision to combat kala-azar, cholera, and other epidemic diseases)."

Babu AMARENDRA NATH GHOSE: "That the demand of Rs. 2,80,000 under the head '33B.—Expenses in connection with epidemic diseases' be reduced by 2 annas (to criticise the allotment for kala-azar, malaria, and cholera)."

Srijut JOGENDRA NATH MOITRA: "That the demand of Rs. 2,80,000 under the head '33B.—Expenses in connection with epidemic diseases' be reduced by Re. 1 (to record an emphatic protest against the reduction of about Rs. 3 lakhs under this very important head)."

Mr. P. C. BASU: "That the demand of Rs. 2,80,000 under the head '33B.—Expenses in connection with epidemic diseases' be reduced by Re. 1. (Insignificant sum when diseases are creating havoc with the whole province)."

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 37,61,000 under the head '33.—Public Health' be reduced by Rs. 1,000."

Mr. JOGESH CHANDRA GUPTA: "That the demand of Rs. 37,61,000 under the head '33.—Public Health' be reduced by Rs. 101 (to criticise the policy and provision for preventible diseases)."

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs. 37,61,000 under the head '33.—Public Health' be reduced by Rs. 100 (to draw attention to failure to carry out works for improving public health, while spending large amounts on staff and establishments)."

Babu BEJOY KRISHNA BOSE: "That the demand of Rs. 37,61,000 under the head '33.—Public Health' be reduced by Rs. 100. (Comparative inadequacy of the grant)."

Maulvi SHAMSUR-RAHMAN: "That the demand of Rs. 37,61,000 under the head '33.—Public Health' be reduced by Rs. 100 (for not providing any money for the water-supply scheme and the scheme for starting a laboratory by the District Board of Khulna)."

Babu ROMES CHANDRA BACCHI: "That the demand for Rs. 37,61,000 under the head '33.—Public Health' be reduced by Re. 1. (Adulteration of food throughout this province generally and the urgent necessity for checking this evil)."

Babu JATINDRA NATH CHAKRABURTTY: "That the demand of Rs. 37,61,000 under the head '33.—Public Health' be reduced by Re. 1 (to discuss the attitude of apathy of the Government to the vital question of the public health of Bengal)."

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 37,61,000 under the head '33.—Public Health (Transferred)' be reduced by Re. 1 (to criticise the policy of this department)."

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 37,61,000 under the head '33.—Public Health' be reduced by Re. 1 (on the ground that this sum is quite inadequate for improving public health in Bengal and that the major portion of this sum is being spent on the department and for the salary of highly paid officers and not for improving health of villagers)."

Babu AKHIL CHANDRA DATTA: "That the demand of Rs. 37,61,000 under the head '33.—Public Health (Transferred)' be reduced by Re. 1 (to express disapprobation of the half-hearted policy of the department)."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 37,61,000 under the head '33.—Public Health (Transferred)' be reduced by Re. 1 (to criticise the general policy)."

The motion that a sum of Rs. 37,61,000, as amended by the Council, be granted for expenditure under the head "33.—Public Health" was then put and agreed to.

34.—Agriculture.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 23,91,000 be granted for expenditure under the head "34.—Agriculture."

Sir, with the limited funds at our disposal it has not been possible to commence many new schemes to which Government have already given administrative approval. The increased cost of the department is due partly to increments which are normally earned by the officers and their staff, and partly to new work and such small expansion as has been possible.

I feel sure that the installation of electric lights in the Belgachia Veterinary College will appeal to all those who have the best interests of our students at heart. A student has often to work at night, more especially when the examination period approaches. The difficulties of working in defective light must be known to all the members of this House, and I sometimes think that the defective sight of many people in this province may be attributed partly to the pursuit of their studies without adequate light. In providing electric lights at Belgachia therefore we are only conferring on the present generation of students a boon which their fathers and grand-fathers would have appreciated; and I feel sure no one will deny to them this advantage.

The second item of capital expenditure is the provision of wire fencing round the cattle farm at Rangpur. It is of the utmost importance that the valuable cattle that are kept and bred there should be free from any chance of infection by disease through other cattle roaming over the farm. As the herd in Rangpur increases in value the necessity of protecting it from the possibility of disease will become more imperative. This work, I think the Council will agree, is justified.

The necessity of a motor ambulance for the Veterinary College at Belgachia hardly requires any argument. The city of Calcutta covers a very large area and accidents to animals may happen anywhere. The rapid transport of injured animals to the hospital at Belgachia is a matter of sheer necessity. At present a horse ambulance is used, but delays are considerable and more particularly in the hot weather the sufferings of injured animals are greatly intensified by the absence of rapid transport. I might add that the recurring expenditure of a motor ambulance will actually be less than that of the present horse-drawn vehicles.

In the Veterinary Department little has yet been done in the way of propaganda and the Council, I trust, will appreciate the start that is now being made. The general knowledge of the public on veterinary subjects is extremely limited and it is one of the first necessities of the department to instruct those who have the management of cattle.

In the Agriculture Department the demonstration farm near Rajbari will serve a large area and the seed farm at Charbadna in Bakarganj is intended for the rapid reproduction of a type of seed

which has shown itself to be particularly successful in that district. The appointment of a temporary field assistant to the Economic Botanist requires explanation. There are at least 270 private paddy seed farms in Bengal where departmental seeds are grown. The owners require advice and assistance, and more important still, their seed should be tested for purity and germination before it is distributed to cultivators. This field assistant will be engaged on this work, and it is hoped that the supply of seed will not only be improved but the cultivators will be protected from bad seed.

In the Co-operative Department the most important development is the entertainment of 14 additional auditors and two additional inspectors with their peons for the proper supervision and audit of new societies. The great importance of audit is fully recognised by Government. The subject is at present being closely examined and it is hoped gradually to bring this important section of the Co-operative Department up to such strength as will enable it to deal adequately with its duties.

Adjournment.

The Council was then adjourned till 3 p.m., on Tuesday, the 2nd April, 1929, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council [illegible] under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Town Hall, Calcutta, on Tuesday, the 2nd April, 1929, at 3 p.m.

Present:

The Hon'ble the President (the Hon'ble Raja MANMATHA NATH RAY CHAUDHURI, of Santosh), in the Chair, the four Hon'ble Members of the Executive Council and 79 nominated and elected members.

Oath.

The following member made an oath of his allegiance to the Crown:—

MR. R. N. GILCHRIST, I.E.S.

Starred Questions

(to which oral answers were given).

Chairman, Jessore District Board.

*103. **Babu AMARENDRA NATH GHOSE:** (*a*) Will the Hon'ble Member in charge of the Department of Local Self-Government be pleased to state whether it is a fact that the Chairman of the District Board of Jessore has abolished all the kala-azar centres and also disbanded all the cholera doctors that used to be maintained by the District Board?

(*b*) Is it a fact that the present Chairman of the said District Board has paid no heed to offers of substantial donations by private parties for the establishment of charitable dispensaries in areas acutely suffering from want of medical aid?

(*c*) If the answers to (*a*) and (*b*) are in the affirmative, will the Hon'ble Member be pleased to state what steps the Government have taken or propose to take in the matter?

MEMBER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (the Hon'ble Sir Provash Chunder Mitter): (*a*) Kala-azar centres have been opened and closed in Jessore as funds permitted and

the number of cases made desirable. They were last closed in February, 1929. Temporary cholera doctors have been employed as occasion demanded, but at present the Board find that all requirements can be met by their ordinary public health staff.

(*b*) The District Magistrate reports that the only four offers received are under consideration of the Board, and that the imputation against the Chairman is undeserved.

(*c*) Does not arise.

Training in field firing and military manœuvres of Volunteer Corps in Midnapore.

*104. **Babu DEBENDRA LAL KHAN:** (*a*) Is the Hon'ble Member in charge of the Police Department aware that training in field firing and military manœuvres was given to the Volunteer Corps, in the district of Midnapore, last year as well as in several other previous years?

(*b*) Is it a fact that the inhabitants of the villages within the area selected for the above purposes, near the town of Midnapore, were annually turned out of their hearth and home by the police at the peep of dawn in mid-winter on the days field firing, etc., was practised by the volunteers?

(*c*) Is it a fact that such wholesale exodus of people from their villages involved those also who were seriously ill and were even on the point of death?

(*d*) Will the Hon'ble Member be pleased to state whether any exceptions were made in such cases?

(*e*) Is it a fact that cattle and other live-stocks were also removed by the police from the area concerned?

(*f*) Is it a fact that the important thoroughfare, the Bombay Road, was closed to all traffic, vehicular and otherwise, during such operations, causing great loss to trade and inconvenience to the public at large?

(*g*) If the answers to (*b*), (*c*), (*d*), and (*e*) are in the affirmative, will the Hon'ble Member be pleased to state under what law were such orders of compulsory evacuation issued by the police?

(*h*) Will the Hon'ble Member be pleased to state whether any compensation is paid to the villagers concerned for the loss of business and other losses and expenditure consequent on the compulsory exodus from their homes and fields awaiting harvesting?

(g) Are the Government considering the desirability of acquiring land for the purpose of giving training to the Volunteer Corps in field firing, etc.?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. A. N. Moberly): (*a*) Yes.

(*b*) No; they were advised to remain indoors.

(*c*) and (*d*) Do not arise.

(*e*) No: owners of live-stock were advised to remove their animals from the firing area.

(*f*) The road was closed, but no complaints of loss or inconvenience have been received from the public.

(*g*) No such orders were issued.

(*h*) No complaints of loss have been received.

(*i*) This concerns the Government of India.

Staff maintained for auditing the accounts of the co-operative societies.

***105. Mr. W. H. THOMPSON:** (*a*) Will the Hon'ble Member in charge of the Department of Agriculture and Industries be pleased to lay on the table a statement showing—

(*i*) the staff maintained at present by Government for the purpose of auditing the accounts of co-operative societies;

(*ii*) the amount spent yearly by Government on account of this audit from 1923-24 to 1927-28; and

(*iii*) the amount collected yearly by Government from the societies on account of audit from 1924-25 to 1928-29?

(*b*) If the amount spent is less than the collection made, will the Hon'ble Member be pleased to state in what manner the balance has been credited?

(*c*) Will the Hon'ble Member be pleased to state whether the present staff of Auditors is considered sufficient to carry out a satisfactory audit?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Member be pleased to state whether it is in the contemplation of the Government to lower the fee levied on the societies for audit?

(*e*) If the staff is not sufficient, are the Government considering the desirability of increasing the staff of Auditors?

MEMEBER in charge of DEPARTMENT of AGRICULTURE and INDUSTRIES (the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur, of Dhanbari): (*a*) (*i*) One hundred and ten, of whom thirteen are wholly paid by Government and the rest from audit fees.

(*ii*) and (*iii*) The Member is referred to the answer to unstarred question No. 70 asked by Maulvi Shamsur-Rahman at the meeting held on the 23rd instant.

(*b*) The surplus is held in provincial revenues.

(*c*) No, but Government officers have helped in audit work, so that all societies have been audited.

(*d*) The question does not arise.

(*e*) Yes. Reference is invited to the answer to unstarred question No. 70.

Srijut NAGENDRA NATH SEN: Will the Hon'ble Member be pleased to state, with reference to answer (*b*), the ultimate use to which the surplus now held in provincial revenues will be put?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: It is impossible to say, Sir.

Maulvi SHAMSUR-RAHMAN: Will the Hon'ble Member be pleased to state, with reference to answer (*a*), (*ii*) and (*iii*), why there is a discrepancy between the amount of Rs. 45,758-6-4 given as "realised audit fees" for the year 1919-20 in reply to unstarred question No. 70 and the amount for this year given in the Administration Report of the Department, namely, Rs. 61,915.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: I want fresh notice, Sir.

Maulvi SHAMSUR-RAHMAN: Will the Hon'ble Member be pleased to state why we find another discrepancy between the amount of Rs. 39,022-10-6 which is given as "realised audit fees" for the year 1922-23, and the amount of Rs. 67,000 given for this year in the Administration Report of the Department? May I know which figure is correct?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: I want fresh notice, Sir.

Unstarred Questions

(answers to which were laid on the table).

Excise Licensing Board, Calcutta.

75. Mr. SATYENDRA CHANDRA GHOSH MAULIK: Will the Hon'ble Member in charge of the Department of Agriculture and Industries (Excise) be pleased to state—

(*i*) the policy of the Government regarding the license for the sale of liquor, etc.;

(*ii*) the object for which the Licensing Board was formed;

(*iii*) the names of the members of the said Board during the period 1926-29;

(*iv*) up to what date the Board functioned;

(*v*) the cause of the resignation of some of the members of the Board; and

(*vi*) what action, if any, has been taken by the Government to form another Board?

MEMBER in charge of DEPARTMENT of AGRICULTURE and INDUSTRIES (EXCISE) (the Hon'ble Mr. A. Marr): (*i*) The policy of Government is explained in the Communiqué of 1921 and the Resolution No. 5568 Ex., dated the 27th November, 1926, to which the member is referred.

(*ii*) The Licensing Board in Calcutta was formed to determine the number and location of licensed shops within the Calcutta excise district.

(*iii*) A statement is laid on the table.

(*iv*) 18th October, 1928.

(*v*) The member is referred to Government Resolution No. 631 T.—A.I., dated the 19th October, 1928.

(*vi*) A new Board will be constituted shortly.

Statement referred to in the reply to clause (iii) of unstarred question No. 75, showing the names of gentlemen who served from time to time as members of the Calcutta Licensing Board during the period 1926-29.

NON-OFFICIAL.

Dr. Sir Deba Prasad Sarbadhikari, M.A., D.L., representing the Calcutta Temperance Federation—*President.*

Members.

OFFICIAL.

The Commissioner of Excise and Salt, Bengal.

The Commissioner of Police, Calcutta.

The Collector of Excise, Calcutta—*Secretary.*

NON-OFFICIAL.

Mr. K. C. Ray Chaudhuri, M.L.C.

Mr. D. J. Cohen.

Babu Bidhu Bhusan Sarkar, Babu Nalini Mohan Chatterjee, M.A., B.L., M.R.A.S., Dr. Adyanath Chatterjee, and Babu Dhirendra Nath Ghosh, representing the Corporation of Calcutta.

The Revd. Mr. Johan Reid, representing the Calcutta Temperance Federation.

Dr. B. L. Chaudhuri, D.SC. (Edin.), F.R.S.E., representing the Calcutta Temperance Federation.

Rai Bahadur Dr. Haridhan Dutt, L.M.S., representing the Calcutta Temperance Federation.

Mr. A. M. Ballingall, of Messrs. Kellner & Co., Ltd.

Mr. H. F. Coltart, of Messrs. Mackenzie Lyall & Co.

Chevalier Edoardo Peliti, representing the Calcutta Trades Association.

Babu Mohitosh Saha.

Khaja Abdul Ghani.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Member be pleased to state if the difficulty about finding seats on the Licensing Board for all the supporters of the Ministers has been got over?

(No reply.)

Bhatpara Municipality.

76. Maulvi LATAFAT HUSSAIN: (*a*) Will the Hon'ble Member in charge of the Department of Local Self-Government be pleased to state what effect is proposed to be given to the assurance of His Excellency the Governor in reply to the address of welcome presented to him by the Executive of Kankinarah Labour Union on 6th December, 1927, regarding the representation of labour on the board of Bhatpara Municipality?

(*b*) Is the Hon'ble Member aware that the following paragraph appears in the Annual Administration Report of 1924-25? "It may also be noted in this connection that Wards II and III (Kankinarah and Jagatdal) pay seven-eighths of the municipal revenue, and the population of these two wards is more than five-sixths of the entire population, the claims of Kankinarah and Jagatdal for adequate number of seats on the Municipal Board cannot be overlooked, and both on basis of population and income these two wards, the residence of mill workers, must have at least three-fourths of the total number of commissioners. Wards I and IV (Bhatpara and Authpore Moolajore) should have 5 seats, while Kankinarah and Jagatdal (Wards II and III) 15."

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Member be pleased to state what steps the Government propose to take in the matter?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) In his reply to an address presented to him by the Kankinarah Labour Union on 6th December, 1927, His Excellency stated that "it is desirable that industrial interests in this area should have suitable representation on the Bhatpara Municipality." The Commissioner has been requested to consider the claims of these interests in submitting his nominations for the ensuing reconstitution of the municipality.

(*b*) Government have read the passage in question in the report on the Bhatpara Municipality for the year 1924-25. This paragraph comments on the distribution of seats under an elective system if it were introduced, but has no direct bearing on the constitution of the municipality as it now stands, all members being appointed.

(*c*) See paragraph (*a*).

Demands for Grants.

34.—Agriculture.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: Sir, I have already explained the reasons for this demand, and I now commend my motion to the acceptance of the House.

The following motions were called but not moved:—

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 5,65,000 under the head '34.—Agriculture—Veterinary charges' be reduced by Rs. 17,000."

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 5,65,000 under the head '34.—Agriculture—Veterinary charges' be reduced by Rs. 1,000."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 5,65,000 under the head '34A.—Veterinary charges' be reduced by Rs. 100. (Unsatisfactory working of the Department and actual service rendered by it)."

Maulvi SYED MUHAMMAD AFZAL: Sir, I beg to move that the demand of Rs. 5,65,000 under the head "34A.—Veterinary Charges" be reduced by Re. 1 (to criticise the dilatory policy of Government regarding the revision of pay of the Veterinary Assistant Surgeons of the Civil Veterinary Department.)

Sir, as I have already said, my object in moving this token cut is to criticise the policy of Government regarding the revision of pay of the Veterinary Assistant Surgeons of the Civil Veterinary Department.

Sir, the question has become almost hackneyed, and yet no definite result has emerged in this connection. The Government policy in this matter has been particularly very dilatory in character which can be hardly justified in the least. Sir, a question was put in this Council by Babu Jatindra Nath Chakravarty on the 18th March last on this subject. The Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur, of Dhanbari, replied that the question of revision of pay of the Veterinary Assistant Surgeons of the Civil Veterinary Department has been under examination since May, 1927. Sir, if a reference is made to the official proceedings of this Council, it will be seen that times without number the question was put to the Hon'ble Member or Minister in charge of the department, as the case was at that time.

Sir, the late Rai Bahadur Radha Charan Pal asked this question in this House in 1921. The Hon'ble Nawab (now Nawab Bahadur) Saiyid Nawab Ali Chaudhuri, Khan Bahadur, who then occupied the Ministerial chair of the Transferred Department in question, answered that the question was then under consideration (*vide* page 86 of Volume V of Council Proceedings for 1921).

The same question was again asked by Maulvi Hamid-ud-din Khan, and the Hon'ble Minister in charge of the department again replied

that the question of further revision was under the consideration of Government (*vide* page 28 of Volume VIII of Council Proceedings for 1922).

The question was raised in this Council from year to year, until we come to the time when the Hon'ble Hadji Mr. (now Sir) A. K. Abu Ahmed Khan Ghuznavi was the Minister in charge of the department in 1927, when Srijut Jogendra Nath Moitra asked questions about this subject in this House, which elicited the reply that the question had been receiving Government's attention from time to time since 1921, and was even then being considered carefully (*vide* page 44 of Volume XXVI of Council Proceedings for 1927).

Again the question was inquired into by Mr. Jogesh Chandra Gupta on the 24th August, 1927, and by Rai Harendranath Chaudhuri on the 25th August, 1927, whereupon the Hon'ble Hadji A. K. (now Sir Abdelkerim) Ghuznavi, then Minister in charge of the department, replied to the same effect.

Then, it will be seen that the question could not be decided by the Hon'ble Sir P. C. Mitter and Nawab Musharruf Hosain, Khan Bahadur, and others, and still awaits decision.

In view of the above facts, I do not understand why the Hon'ble Nawab Bahadur, who is at present in charge of the department, should say that the proposal has been under consideration since May, 1927, whereas it has been awaiting consideration since 1921.

Sir, I beg to point out that during the session of the reformed Council from 1921 up till now Government could not propose a definite policy, so that the question is still under consideration, and, under present circumstances, it is anticipated that the question will have to await decision for a few years more.

Ministers have come and gone, Members have come and gone away to the other world, and many Veterinary Assistant Surgeons had to retire; but this question is still awaiting the consideration of Government.

Sir, "men may come and men may go but I go on for ever," and, I think this sentence is pathetically true in the case of the poor Veterinary Assistant Surgeons of the Civil Veterinary Department.

Sir, with these few words, I beg to move my motion for the acceptance of the House.

Mr. PRESIDENT: We should have one discussion on the motion that has just now been moved and the next motion.

The following motion was called but not moved:—

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 5,65,000 under the head '34A.—Agriculture—Veterinary charges'

be reduced by Re. 1 (as mark of want of confidence as also on the ground that the major portion of this sum is spent on the department itself and not for improving and preserving the health of the animals)."

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: Mr. President, Sir, in rising to oppose this motion I wish at the outset to make it clear that Government are fully convinced that the pay of the officers of the Veterinary Service should be raised. It is true that Government are sometimes criticised for spending money unduly on professional services, and indeed, an illustration of that sort of criticism will be found in the motion which is to follow. It would not be right for me to anticipate the debate on that motion but I wish to draw attention to the difficulty in which Government are placed by the conflicting nature of the criticism to which they are subjected by members of the main opposition group. Sir, we are entitled to enquire with which voice the opposition desires to speak. I am not at the moment concerned with the choice they may make, but I do maintain, Sir, that they cannot have it both ways. They cannot accuse Government for not raising the pay of the staff, and then in the next breath allege that we spend too much on the staff. It is just possible that our critics are not agreed which is the best line of attack. Any stick is good enough in these days if the object is to beat the Government. In the absence of any explanation it may even be surmised that the opposition left the matter to chance, and were prepared to take up whichever motion was most favourably placed in the order of business. If that be so, I maintain that such a light-hearted method of dealing with a matter of public importance is itself an adequate condemnation of the motion now before the House.

But, Sir, it is probably true that the weakness of the tactical position of the critics of Government is due to sheer inadvertence and it would not be fair to press the advantage unduly, nor have I any intention of doing so. This House is entitled to know why the matter under discussion has been delayed and Government are prepared to meet that issue. Sir, the pay of this service was last revised in 1918 and the new scale came into force on 1st April 1919. Economic changes led to a review of the scale in 1923, but two factors intervened to postpone a decision. The first was the recommendation of the Retrenchment Committee that the whole cost of this service should be borne by local authorities employing them. That proposal was examined at length and rejected. The second consideration arose from the fact that district boards who bear two-thirds of the cost of the district staff, were finding it difficult to finance their most pressing needs and Government felt that the time was not opportune to suggest

an increased charge under this head. Government itself too would have found it difficult to shoulder its share of the burden. In these circumstances the subject was postponed to await more favourable conditions.

In 1927, the matter was again taken up and Government have decided that the case for an increase of pay is established. But I would remind the House that the decision does not rest with Government alone. Local authorities will have to share in the increased cost to the extent of two-thirds and the Divisional Commissioners have recently been requested to consult district boards on the subject and report their views. Now, Sir, I would, with all deference, urge that a premature decision by the House on this subject would be embarrassing to Government, and might indeed be resented by local authorities throughout the province. Government have no power to force the hands of district boards or even to hasten their decision. Any directions given by this House are likely to hamper rather than help the negotiations, and I would suggest it is the path of wisdom to defer an expression of opinion until the views of the local authorities concerned have been ascertained.

At the same time, Sir, I desire on behalf of Government to acknowledge the support which its proposals appear to find in this House and Government trust that those who support this motion will use their influence with local authorities to secure an early acceptance of the proposals of Government. With that assistance the path of Government will be made easier and an earlier decision may be possible that was at one time anticipated. I would, therefore, suggest if I may do so without presumption that in all the circumstances the proper course is to withdraw the motion. But if the mover does not agree, I must oppose his motion.

The motion of Maulvi Syed Muhammad Afzal was then put and lost.

Mr. PRESIDENT: We should have one discussion on motions Nos. 683-694.

Babu NALINIRANJAN SARKER: Sir, I beg to move that the demand of Rs. 61,500 under the head "34B.—Agriculture—Transferred—Superintendence" be reduced by Rs. 101 (to discuss the desirability of having a Jute Board for the improvement of the jute trade industry and the functions of such Board, etc.).

The object of my motion is to impress upon this House the urgent necessity of devising a permanent machinery to initiate such steps as may be conducive to improve and develop the growing, marketing and manufacture of jute in India. There can be no doubt that such

machinery as would safeguard and advance the interests connected with the cultivation and manufacture of jute is of the most intimate concern to all the classes of people in this province. By far the largest proportion of Bengal's inhabitants, including even immigrants and birds of passage from abroad, depend upon this important commodity for their prosperity. Packing and wrapping are indispensable in modern long distance trade, and as jute has provided the cheapest form thereof up till now, by proper propaganda the demand for jute may be made co-extensive with that for food grains, oilseeds, cotton, cement, coffee, cocoa and other important staples of international commerce. Indeed, this is so obvious that a national government, even though it could not aspire to a personnel of the calibre of our present services, could not have failed to take steps to turn this natural gift into a veritable gold mine—a source of increasing the wealth and prosperity of this province. And we should have witnessed various steps of a public body watching like a benevolent deity over the interests of jute. But while foreigners have made their pile out of dealings in jute, banks and merchants have fattened, and Government have enjoyed in plentiful measure taxes derived directly, indirectly and distantly from the unquestioned value of jute to the world's trade and commerce, no one in authority has yet thought that something should be done to prevent this milch cow from running dry. Most of the classes I have referred to have possibly thought that in case of danger to jute they could shift to other trades and enterprises as rats desert a sinking ship. But the millions who live and die on their farms cannot possibly view the matter so lightly.

It is unnecessary for me to expatiate on the importance of jute in our own national economy to this House, where most of us, Sir, are fed and clothed and maintained in comfort and even luxury by the price which this golden fibre now commands abroad. "Jute" is writ large on the portals of every mansion in the city and every bank and business house in Clive Street. Provincial and Central finance find in jute one of their strongest foundations. The average annual value of the jute trade amounts to about 100 crores of rupees, of which however the cultivators' share amounts only to about Rs. 30 crores. High Government officials have admitted that the cultivator gets an uneconomic price of Rs. 8 per maund and that he should have at least Rs. 2 more per maund in order to cover his cost alone. And yet we are all content to live for the day in careless ease neither caring to get more at the present moment nor to ensure even this much for the future.

All that the Government have done for the jute trade is to publish their forecasts of jute production every year. The jute trade is peculiar in that the producers, *i.e.*, the cultivating classes are uniformly illiterate, unable to read or comprehend the contents and the

purport of these forecasts. And even if they could read and understand they could not derive any benefit from their publication. For the Government publish the forecasts only in the Gazette which is not easily available to the rural classes and make no effort to broadcast them. On the other hand, the consumers and the middlemen are strong in imagination, knowledge and resources. These Government reports, therefore, only help the foreign consumer with information which enables him to use all the well known tactics of fencing and feinting in order to delude or force the poor raiyat to sell at starvation prices. Thus the only action that Government takes in this behalf amounts to the abetting of an unholy conspiracy against the cultivating classes. Statistics of the last year show that while the quantity of raw jute exported was 20 per cent. higher than that in the preceding year, the total price fetched for the exports increased from about 27 to 30 crores of rupees, that is, by about 11 per cent. Expressed in another way an additional quantity of ten lakhs of bales brought into the country only 3 crores of rupees, that is, Rs. 30 per bale against the average price which fluctuated between Rs. 60 and Rs. 65 per bale. The Government Review of Trade for 1927-28 admits that there was "a brisk demand for manufactured articles," yet the price of raw jute was low and this unnatural state of affairs is ascribed to plentiful supplies. No non-official protagonist of the regulation of the jute supply could go further. It is even said that Government are doing all this deliberately, but that is a point on which I will not dilate. Suffice it to say that if the popular good is a matter of any concern to the State, machinery must be devised for keeping the cultivators adequately informed of the probable world demand and the acreage that should be sown to meet this demand.

Sir, recent events and developments tend to create in us feelings of insecurity as to the present position of jute in the world's economy. The consumer abroad is not content to leave this province in the undisputed enjoyment of a monopoly. Efforts have been persistently made to find a cheaper substitute for the present packing material. Bags of paper and other stuff have been tried and even bulk-handling attempted. But these experiments have not yet been so successful as to threaten the position of jute. But we cannot afford to forget the determination with which attacks are being directed against our position in the trade in packing material. America, our largest consumer, is considering the imposition of prohibitive import duty to encourage her bagging industry. She is straining at the same time even to grow jute on American soil. What will be the cumulative effect of these hostile forces? If we are to survive these efforts and our classes and masses are to preserve even their present standards of living not to speak of improving them, it is essential that we should watch their development. Instead of following the present course of careless lotus-eating, we have consciously to develop the strength with which we can

deal blow for blow, the alertness which can answer every move by a counter-move, and the capacity to foil the enemy in every encounter. Our methods of cultivation, our methods of marketing, the conditions and management in our factories, in fact, at every stage of the long journey of jute from field to factory and from factory to foreign ports, our organisation is hardly worth the name. In reality, we cannot pretend that we are organised at all. To-day, the organisation of a Jute Board with such functions as the position of the commodity and the interests of the people requires will be none too soon.

Next, Sir, Government maintain in the Agricultural Department a highly paid band of superior officers. They carry on researches which of course benefit them by enabling them to claim and gain promotion but the results are embodied only in learned brochures written in a foreign language. They are not available to the cultivator in any form or degree for improving his methods of cultivation or selection of seeds. The Agricultural Department owes it to the cultivator to popularise the results of the researches carried on by the department; otherwise the cost of maintaining it becomes an unnecessary waste of public money. And what body is better fitted to popularise these researches than a Jute Board such as this motion contemplates? What I have said so far refers to the needs of the growing side. But the growers are equally interested in the marketing of jute and there are many day-to-day needs of a jute market which only a statutory body like the Jute Board can satisfy. It is well known that there are no well-defined jute standards. There are certain grades as determined by the Indian Jute Mills Association but the quality to be tendered against each grade is not specified. The quality varies not only from season to season but often in the same season. It is possible for the Association to take advantage of these variations to force the dealer to tender a higher quality against the lower grades. For in case of dispute the Association consisting of foreign consuming interests is the ultimate arbiter, and as there is also a provision that no dealer can deal with the mills except through a European broker, these vagaries of grades and qualities have their fullest adverse effects on the dealers and the producers.

A Jute Standard Act in the lines of the United States Cotton Standard Act thus becomes an indispensable necessity not only for the very existence of the Indian jute merchants but in the interests of jute growers as well. For unless they themselves get an equitable price the merchants cannot give it to the cultivators.

Equally unsatisfactory is the condition in the export trade. As no survey of quality of the raw jute exported is held at Calcutta the Indian balers are compelled to pay any allowance awarded by the London Jute Association. For months together the balers are quite

in the dark as to whether their goods come up to the required standard or not. The effect of this on the price of jute and the economic condition of the raiyat is ruinous.

I may also examine briefly a point of view which prevails among the European commercial community which has a distinct bearing on the present matter. It is said that all that the jute trade needs in the interests of the cultivator is the elimination of the middleman who is acting like a parasite on the cultivator. Frankly I cannot share the view. However much I may join others in decrying the evils proceeding from the presence of middlemen, I cannot help feeling that his total elimination will not be to the advantage of the cultivators under the present circumstances.

3-30 p.m.

These middlemen have acted like a buffer between them and the outside markets and other consumers and have, in a large measure, absorbed the shocks proceeding from the vagaries of an intensely speculative market. The direct contact of the disorganised and almost illiterate cultivators with the highly organised and powerful class of millowners and shippers cannot be of the least advantage to the former, specially in the present form and constitution of the Government and economic status of the people. The middleman is more or less indispensable to preserve the competitive condition of the trade. The only agency that can discharge the function of the middleman is a government which is truly and fully representative of the cultivators' interests. When such a government is realised it is possible to conceive of the Government having its own big warehouses all over the province and taking jute direct from the producers and selling it direct to foreign consumers. In the absence of such government middlemen are at the worst a necessary evil.

Coming now to the personnel of the proposed Board, I must urge the importance of safeguarding it from a preponderance of interests other than those of the cultivator. I cannot lay too much emphasis on the need of protecting him first and foremost, though I do not by any means suggest that the other important interests of trade and commerce should not also be adequately represented. And I am sure that if there be the will, the House can find the way of according to each interest its legitimate share of representation.

Now coming to the question of finance without which the Board can only offer pious prayers for the succour of the jute trade, the Board has to be allocated sufficient revenue from some specific source. The

Bengal Government for their part may contend that this is a matter in which the Central Government alone can act. While I realise the force of this contention, I cannot forget that if our Government adequately recognise the importance of the Jute Board and the necessity therefor they will not hesitate to take up the matter with the Central Government. As, even excluding income-tax, the latter are deriving from jute an annual revenue of 3¾ crores of rupees they can well afford to give to the Jute Board a fraction thereof, and as the efforts of the Board begin to bear fruit the increased prosperity itself will minimise the burden on the Central exchequer, while the Board will also find increased potentialities for raising its own income. It is, therefore, quite reasonable that the Board should be started with the nucleus of Rs. 5 lakhs from the Central Government as recommended by the Agricultural Commission.

Sir, I hope I have put the entire case for the constitution of the Jute Board though in small compass and I venture to believe I have carried conviction to most of the members of this House. But I may say to those who are still opposed to this idea that there are other countries where National Chambers of agriculture perform in conjunction with the National Government the same functions which we want to entrust to an *ad hoc* Board in the case of only one agricultural product. Brazil has a cotton service discharging the same functions for Brazilian cotton what I would like to see the Jute Board do to Bengal jute. Every country can point to a few products or a few enterprises as the foundation of national prosperity. And if each nation is to preserve and improve its economic well being, it will perforce have to be vigilant about the prospects of such products or enterprises. In Bengal we cannot think of another commodity besides jute which can be said to determine our well being. I can only say that to deny the need for a Jute Board is to deny the need for any caution or wariness in regard to our material happiness.

Mr. C. F. ROSE: Sir, unfortunately owing to the appalling acoustics of this hall I have not been able to hear all that my friend, Mr. Naliniranjan Sarker, has said. But I take it that a part of his speech was made in commiserating the lot of the raiyats who grow jute. If so, I think he has rather wasted his time. The raiyat is one of the most independent British citizens in India in matters concerning his own business. We know he has been tried by certain parties not to grow jute, but besides jute what can he grow? The *aus* paddy as every one knows—although I myself know very little about it—is in three years out of five a failure. His only alternative to *aus* paddy is jute, and the results of the raiyat's cultivation of jute during the last three or four years has not been what it was a few years ago. To-day the raiyat's profits on the growing of jute enable

him to pay for his rent, food, clothes and his labour and all other expenses for the whole year, which is a very different story from his two years' profit out of five years in the case of *aus* paddy. This leaves him with his winter paddy crop, an extra marketable commodity, over and above living expenses and himself in a very different position financially to-day than was the case four or five years ago.

Now, as far as the Agricultural Department is concerned, I think my friend, Mr. Sarker, said that all that the Agricultural Department did was to provide a few statistics for the benefit of foreigners. I should like my friend to reconsider that statement. For one thing the Agricultural Department have increased the quantity of jute grown per acre by I think 25 per cent. in the last few years. In the face of this fact to state that the Agricultural Department have done nothing to improve the jute crop of Bengal is nonsense. The Agricultural Department is practically the only body of men in India in whom the raiyat has any confidence at all. The proof of that is the way that the special departmental seed has been sold and distributed during the last few years. There was a very great demand for the Agricultural Department special seed last year. My constituency have guaranteed the department for the supply of jute seed for a few years, last year all the seed was sold and there was no balance left at all. However, I do not wish to take up much more time in saying more as I think we all want to get this session finished as quickly as possible. I would like, however, to give the answers that my constituency have given Government through the Bengal Chamber of Commerce to this question of an Advisory Board. The answers are as follows:—

(1) That bearing in mind the present and established custom, legislation is unnecessary.

(2) That in any case it will be impracticable, hampering to the trade and would involve many unforeseen difficulties and hardships.

(3) That unless, in exceptional circumstances, or where it is outcome of a unanimous desire on the part of the trade as a whole (and such certainly is not the case with regard to the proposal at present under consideration), Government interference with the internal organisation of an industry is to be deprecated.

(4) Hope is expressed that the members of the Legislative Council will think fit to offer strong opposition to any proposal that legislation should be introduced to interfere in any way with the existing customs and procedure in the jute trade industry.

Maulvi NURUL HUQ CHAUDHURI: Sir, I support the motion which has been brought forward by my friend Babu Naliniranjan Sarker. I hope that the members of this House will not be needlessly alarmed at the prospect of the Government undertaking legislation with a view to organising the jute market. It is one of the functions of all civilised Governments to help those people who are under the circumstances unable to help themselves. The European members of Council would probably remember that during the last Presidential election in the United States of America one of the principal planks of the programme of the Republican Party was to organise the market for the agricultural produce of the country on a scientific and economic basis. It will not do in the 20th century to say that one class of people should be allowed to exploit another which is economically inferior and weaker. The conditions of the jute growers of Bengal require the special intervention of Government. The annual product of jute in Bengal amounts to about 5 crores of maunds. The economic value of this quantity of jute will be about Rs. 50 crores. But unfortunately the cultivators in a normal year never get more than Rs. 30 crores, with the result that about Rs. 20 crores annually find its way into the pockets of the speculators and combines. I may recall to the memory of hon'ble members what happened during the period of the war. Then Government had to restrict the export of jute. The result was that jute was sold during the last few years of the war at Rs. 3 to 4 per maund. At the same time, however, the Munition Board gave large orders for gunny bags and other jute products to the mills on the Hooghly which made a profit of nearly Rs. 60 crores during the last three years of the war. When we remember the fact that the whole capital of the jute mills on the Hooghly was not more than Rs. 20 crores, it will be seen that these mills had been making a profit of cent. per cent. annually during those years. Sir, it is against this condition of things that we raise our voice of protest and ask the Government that it will recognise its duty like all civilised Governments towards the cultivators. The mover has suggested that the task of organising the jute trade should be taken in hand. I am sorry that he has suggested that the money that will be required should be paid in the first instance by the Government of India. I would however point out to him another source of income which is much nearer home and on which we can easily lay our hands. We all know that there is the cess on jute which brings in an annual revenue of Rs. 11,00,000. This must not be confused with the jute export duty. At present the entire Jute cess is made over to the Calcutta Improvement Trust for improving the sanitation of the city of Calcutta. I may tell you, Sir, that there are three other produce cesses in India, namely, the Tea cess, the Cotton cess and the Lac cess. Each one of these cesses yields a net revenue which is much larger than the Jute cess.

3-45 p.m.

Now I cannot see any reasons why, if the Tea cess, for example, should be handed over to the Tea Cess Committee for improving the sale of tea, the Jute cess should not be handed over to the members of a Board so that it may be spent for organising the jute trade in Bengal. I am quite sure that Mr. Travers will not agree to hand over the Tea cess to the Calcutta Improvement Trust for the simple reason that tea is exported through Calcutta, and if a cess on such a prosperous trade as tea is refused to be handed over for the purpose of helping a foreign body like the Calcutta Improvement Trust, I cannot see any justification why the Government should continue to spend the whole of the Jute cess for the improvement of the city of Calcutta. It is one of the inequities which, I am bound to say, has been an unmitigated oppression to the defenceless poor of the country. It is time that some Minister should rise to the occasion and take his stand boldly to do this small piece of justice to the poor cultivators of Bengal.

Sir, with these modifications and with these observations I wholeheartedly support the motion of my friend Babu Naliniranjan Sarker.

Maulvi SHAMSUR-RAHMAN: Sir, I move that the demand of Rs. 1,55,400 under the head "34B.—Agriculture—Pay of Technical Staff" be refused.

In moving this resolution my reason is simple. It is nothing more than this that the technical knowledge of the technical staff is absolutely worthless and unsuitable to the soil of the country. I have seen several of these men with technical knowledge of agriculture employed as District Agricultural Officers. I have also seen how their technical knowledge have scared away our unsophisticated agriculturists far away from the Demonstration Farms started to attract these people to instil technical knowledge in them. For when they find, from the annual reports of the Demonstration Farms that they are generally run at a loss and that the technical knowledge of the officers has only served to diminish the resources of the farm, they cannot but exclaim, "Oh! save us from our friends." To cite a concrete example I would refer you to the Agricultural Society at Khulna established in the year 1926-27 by Mr. Bradley-Birt, the then Collector, with a model farm having an area of 25 bighas of land and a fund of Rs. 7,083 and odd. Under the constitution the District Agricultural Officer is in sole charge of the management of the farm. He has so ably managed this farm that in course of these two years the fund has been reduced to Rs. 1,282 and odd, and I have every reason to hope that with a little bit of more intensive application of the technical knowledge of the Agricultural Officer the Society will soon have to run headlong into liquidation.

My proposal therefore is that either have men with better technical knowledge or have none at all.

Mr. JOGESH CHANDRA GUPTA: Sir, I think the question is now open to general discussion, and I should like to speak on Mr. Sarker's motion.

Mr. PRESIDENT: Yes, the question is still open to discussion, as I ruled that there shall be one discussion on all the motions under the head "34B;" but as you did not rise to speak on Mr. Sarker's motion before motion No. 685 was moved, I think you may better wait till the last motion of this particular group is moved.

The following motions were called but not moved:—

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 3,94,300 under the head '34B.—Agriculture—Other Supervising staff' be reduced by Rs. 94,300."

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs. 2,26,000 under the head '34B.—Agriculture—Experimental farms' be reduced by Re. 1 (to draw attention to the urgency of having a model dairy farm attached to agricultural farms)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 2,26,000 under the head '34B.—Agriculture—Experimental Farms' be reduced by Re. 1. (Actual service rendered by experimental farms)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 18,000 under the head '34B.—Agriculture—Divisional Seed Stores' be reduced by Rs. 100. (System of distribution of seeds.)"

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 11,49,000 under the head '34B.—Agriculture' be reduced by Rs. 27,000."

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 11,49,000 under the head '34B.—Agriculture' be reduced by Rs. 1,000."

Babu MANMATHA NATH ROY: "That the demand of Rs. 11,49,000 under the head '34B.—Agriculture' be reduced by Rs. 100. (Policy of department)."

Mr. SATYENDRA CHANDRA GHOSE MAULIK: I formally beg to move that the demand of Rs. 11,49,000 under the head " 34B.—Agriculture " be reduced by Rs. 100. (Want of proper provision for improvement of Agriculture).

Kazi EMDADUL HOQUE: I beg to move that the demand of Rs. 11,49,000 under the head " 34 B.—Agriculture " be reduced by Re. 1. (No funds placed at the disposal of local bodies, preferably union boards, to instruct the village cultivators in improved method of Agriculture).

Sir, I rise to put forward this motion with a view to criticise the policy of the Agriculture Department. We are vitally concerned with agricultural matters. India is an agricultural country and it is famous for its agriculture. Sir, there is no country in the world whose soil is more fertile than India. It is so fertile that only a bit of endeavour will be sufficient to enrich the prospects of the agricultural section of the people of this country. But who cares for the agricultural people? Who cares for the peasants? Upon agriculture is dependent the prospects of the other classes of people but nobody cares for them. We hear of many things, we hear of the Agriculture Department and we hear of agriculture officers. But these things seem to be all bluff. We do not find that the condition of the peasants of Bengal has been improved in the least ever since the British Government has taken hold of India. Their condition has remained miserable. The agricultural people are getting day by day feebler and feebler for want of food and their cattle are also getting feebler on account of want of pasturage. Both peasants and cattle are dying. Now the only plea put forward by the Government is want of funds and for this want of funds nothing is done in connection with agriculture. There may be some truth in this, but the thing is if Government has a mind to do something for the improvement of the peasantry of Bengal they can do it. Its funds may be very limited and its resources may be circumscribed; but it can in conjunction with local bodies certainly improve the condition of the peasants. It can approach the district boards, it can approach the local boards and union boards. The union boards are said to be self-governing institutions. Now if this be the case, then the Government with the help of these self-governing institutions can do something to improve the condition of the agriculturists. Demonstrators may be placed at the disposal of the union boards and these demonstrators may with the assistance of the union board fund keep up an agricultural store wherein seeds, agricultural implements and various kinds of manures may be stored. I think the union boards should be encouraged to spend money for this purpose. The union boards want to improve the condition of the agricultural people and their main

duty should be to improve the condition of the peasants because until this is done, everything else would be useless. There is no class or community which can exist if the condition of agriculture is not improved. In fact, the very existence of the Government depends upon their labour. If they fail to produce anything and if their agricultural work is stopped for some time then the condition will be very bad. As the agricultural question is the most vital question, I think the Government will make an attempt to improve the condition of the agricultural people and provide the union boards with sufficient funds for this purpose so that they may supply manures and seeds at a cheap rate to the agriculturists.

With these few words I beg to move the motion that stands in my name.

Mr. JOGESH CHANDRA GUPTA: Sir, in spite of the imperfect acoustic of this House which prevented me from following very closely the speech of Mr. Rose, I think I heard him correctly when he enumerated some objections which the Bengal Chamber of Commerce put forward against a Jute Board. I believe one objection was that Government interference is to be deprecated. Sir, may I tell this House one fact which occurred during the time when the Great War was being fought in Europe? I come from the Dacca district which is the centre of jute. When the war was going on the cultivators had grown jute, and the cost of cultivation had been calculated and expected to be Rs. 8 per maund, but the price that was being offered at that time to the cultivators varied between Rs. 2-4 and Rs. 3 per maund. At that time Mr. French was the Commissioner of the Dacca Division and Mr. Birley was the Collector of the Dacca district. Some members of the district board brought this to the notice of the officials that Government or at least Government officers ought to do something towards preventing the miseries of the cultivators who were being compelled to part with jute at 1/4th price of their cost of production. Mr. French, Mr. Birley and myself went to Narayanganj and interviewed the Narayanganj Chamber of Commerce.

4 p.m.

The Secretary to the Narayanganj Chamber of Commerce first started the conversation and I found the attitude of the Narayanganj Chamber so hostile that after about a quarter of an hour's conversation the two officials, namely, the Commissioner of the Dacca Division and the Magistrate of the Dacca district thought that I had better go and wait somewhere else because they did not like me to hear the terms in which their countrymen, the members of the Bengal Chamber of Commerce, were addressing the people who are taking interest in the jute growers. He said, "Why have you come here?

It is the Narayanganj Chamber of Commerce who deal in jute and if they can get it at a cheaper price it is none of your business or Government business to come and tell as about buying jute at a cost less than that of production and all that sort of thing." From that date I came to know that though the I.C.S. gentlemen thought that they were all powerful yet they had very little power when they had to deal with their own countrymen carrying on business in this country. Therefore I say that when my friends over there say that Government interference is very much deprecated it naturally reminds me of this instance. I know that the Collector said that people were going to the jute market with the jute and some of them hanged themselves with the jute they could not dispose of because they knew that starvation stared them in the face unless they could sell it. They tried to sell it individually to one or two firms. I may tell you that a continental firm had at last agreed to send round their launch with some boats so that cultivators could bring on their jute and sell them. When this was done we found that there was a difficulty. There is something like a *padma kata*, a weighing machine, and it is by a swing of this weighing machine that a great deal of profit is made in the business. That is what I came to know when the experiment of weighing jute of some of the cultivators directly by the jute companies was being carried on. Therefore I say from experience and I hope the Members of the Government benches will take this fact from me and then decide whether they should support the motion for a Jute Board which aims at securing the interest of the raiyats with regard to the standard of measurement, standard of sale of jute and with regard to securing a fair value for the jute they produce. I say that on this one instance I can safely assure the Government benches that there is necessity for Government interference because the business is carried on in a way—not as other business is carried on—that they can take undue advantage of a situation and they will not be very solicitous of the interest of the growers when their interest is in conflict with theirs.

Mr. Rose has also given an eloquent testimony to the Agriculture Department. He said that there was one fact—I mean the sale of seeds by the Agriculture Department—that spoke volumes about that department. I may tell Mr. Rose—unfortunately he is not here but I will tell Mr. Rose's friends of the European group who I am sure will convey it to him—that this sale, if any credit is due for it, is due also to another business man, namely, Mr. Gordon and others who have taken a contract to supply them. Therefore the sale of seeds has progressed very well, but I may say that in this matter also the Agriculture Department has not been able to meet all the necessities of the province because there is much more need of seeds than the department chooses to supply.

With regard to the Agriculture Department, as my friend has told the House, it publishes the statistics of the production of jute in this country, but has the department ever attempted to tell the people of this country what the demands from the different countries are with regard to jute? Has the department ever attempted to tell the growers of jute that there is likely to be a demand for one particular quality rather than for another? Has the department ever given any forecast of what the total demand would be in a particular year or in several years? That they have not done.

Therefore as regards jute cultivation, apart from telling the people about Kakia Bombai and all that, I do not think that the department has done anything to help the growers of jute.

Along with this I shall take this opportunity of telling the House that the Agriculture Department has absolutely failed in its duty when they so long, from 1913 up to the present day, failed to tackle the problem which is the greatest menace to agriculture, I mean, water-hyacinth. It is very well known that since 1913 committees have been appointed to deal with this. There was Sir J. C. Bose's committee who reported about this menace and who also said that there would be a drop———

Mr. PRESIDENT: I think we are not discussing that.

Mr. JOGESH CHANDRA GUPTA: I think the motion of Kazi Emdadul Hoque for a reduction of Re. 1 is a token cut wherein I can criticise the policy of the department.

Mr. PRESIDENT: But you must not forget and confine your remarks to the reasons given by the Kazi Saheb as the basis of his motion.

Mr. JOGESH CHANDRA GUPTA: I shall abide by your ruling, Sir, and I will not say anything on the general policy of the department.

With regard to the Agriculture Department I have got to make this remark. We all know that the productivity of the soil in British India has decreased whereas the productivity of the soil in all Native States has increased, that shows that the Agriculture Department has not been doing its duty properly.

Reverting to the question of the Jute Board I say with all the emphasis that I can command that the Agriculture Commission has recommended it and recommended it with a full sense of responsibility. They have found out how the jute growers though they enjoy a monopoly of a certain kind of crop have not been able to get any advantage

although they toil hard for it and although they have got to suffer all kinds of privation. The jute cultivation has now become a costly affair and the growers are always at the time of the close of the jute season tantalised by offers of high prices but when the full crop is on the market the price is shortened. In this way the labourers are being impoverished. They may get some money but when their account is settled finally it is found that the prices are all shortened and their ultimate account is lesser and they do not prosper as they should if they could possibly regulate the jute business in the province of Bengal.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: Mr. President, Sir, in rising to oppose these motions I think it hardly necessary to state that the Government of Bengal recognise the supreme importance of jute to this province. The Government of Bengal are in full agreement with the views of the Royal Commission on Agriculture that should anything serious happen to the jute growing or jute manufacturing industry, a severe blow would be struck at the prosperity of Bengal. The Government therefore agree with the mover of the motion that the question of constituting a Central Jute Committee should be examined at the earliest possible moment. But, Sir, I would like to point out that three provinces are concerned in the subject. Bihar and Orissa and Assam have large jute growing tracts, and it is obvious they must be consulted. Financially the Government of India are closely interested, as the mover pointed out, since they derive a large income from the export duty on raw and manufactured jute. It is, therefore, clear that the initial step in this matter should be taken by the Government of India which will probably do so in consultation with the three provinces concerned. I would further point out, Sir, that the Royal Commission proposed an annual grant of Rs. 5 lakhs for the Jute Committee and it is gratifying to observe their opinion that this should be a charge on Central Revenues. I do not know whether the mover of the motion wishes to suggest that the cost should be borne by the Government of Bengal. If that is his idea, then, Sir, I oppose it strongly; and I have no doubt that in this respect Mr. Sarker will give me his support. The Government of Bengal are awaiting a communication when they propose to take up this subject with the provinces concerned and I can assure the House, Sir, that the best interest of those who grow jute, those who handle and transport jute and those who manufacture it will have the constant careful attention of this Government. But until the Government of India take action it is premature to discuss details. And further, so long as the Government of India appropriates to itself the revenues derived from the jute export duty the Government of Bengal will press strongly that the cost of the Central Jute Committee, if and when constituted, be met from

Central funds. Before leaving this part of the subject I desire to acknowledge the generous assistance of the jute industry in the distribution of good seed.

Sir, I may say at once that I have a triple line of defence to the attack which has been made on the staff of the Agricultural Department. My first is that this service is recruited mainly from people who hold high scientific qualifications. The cadre in its different sections includes graduates in science and agriculture from the leading colleges in India, England and even from America. If the mover of the resolution thinks that the instruction imparted in the agricultural and scientific departments of the leading universities throughout the world is utterly useless, then I am afraid I cannot argue with him, and I feel sure that this House which has always shown a deep appreciation of the necessity of scientific education will record its emphatic protest against his views.

My second line of defence, Sir, is that the work of the Agricultural Department has actually produced results of the utmost value. I am afraid the department does not get anything like sufficient credit for the valuable work it has already done, and although bulletins and pamphlets with useful recommendations are published the general public and, I am sorry to say, even many members of this House are unware of what has been done. Perhaps I might quote a few illustrations. The improved jute seed produced by the department yields at least one maund per bigha more fibre than ordinary local races. That this is not a fictitious claim is proved by the fact that the departmental jute is now grown on 700,000 bighas throughout the province. The increased yield must be at least 7 lakhs of maunds worth approximately Rs. 80 lakhs or nine times the total annual cost of the Agricultural Department. In respect of rice equally useful results have been achieved in different parts of the province. Special races of rice seed have been produced which yield at least one maund per bigha more than the local variety. Several hundreds of thousands of bighas of ground are now under these improved races and the increased value of the produce must run into many lakhs of rupees. In respect of sugarcane and tobacco equally striking results have been achieved, but I will not detain the House by quoting figures. One striking fact, however, is worthy of mention. There are some 300 private seed farms throughout the province working as private enterprises in co-operation with the Agricultural Department. If the departmental effort was as unsuccessful as is alleged then I venture to say that these private seed farms would not exist.

My third line of defence is that these admittedly valuable results must be propagated throughout the agricultural community and for that purpose a staff of District Agricultural Officers and Demonstrators is employed. Here, too, I am afraid, the department suffers much

from ill-informed criticism. The work of these officers is under strict control. They are guided by definite rules which have been carefully framed by expert officers and they provide for superintendence of district farms and propaganda throughout the district. Propaganda takes the form of demonstration of improved seeds and manure, and the formation of associations, the establishment of private seed farms and practical instruction to the sons of cultivators at the farms. I agree that over such a large area as Bengal and with such a dense agricultural population progress with the existing staff cannot but be slow. But year by year the efforts of the department are maintained. The work of the officers is becoming more widely known and appreciated and I think this House will agree that we are only at the beginning of the development of the agricultural wealth of the province. To condemn the work in its initial stages is surely the height of unwisdom and I would ask this House to record its views in no uncertain manner.

Sir, with regard to motion No. 694, the mover desired that the Government of Bengal should place funds at the disposal of local bodies and preferably union boards in order to enable them to convey instructions to local cultivators in improved methods of agriculture. Now, Sir, my first observation is that district boards and union boards are already overburdened with duties of even more pressing nature than the improved agriculture however important that may be, and until these local authorities are able to overtake the immense task which has been placed upon their shoulders in other directions it would not be reasonable to expect them to discharge any direct functions in connection with agriculture. Further, I would point out that no demand of this character has been made by local or union boards, and I would suggest that they are the proper authorities to take the initiative in this matter rather than this Council.

I would point out, however, that Government have made every effort to enlist the interest of district boards in this subject by inviting them to co-operate in the establishment and management of farms in co-operation with the professional advisers of the department. It has been recognised by Government that district boards should have a voice in the management of farms to the extent to which they contribute either by way of land or money towards maintenance cost, and certain district boards have, in fact, agreed to assist the department on these lines.

It is hardly necessary to say that a union board would not be able to employ or control usefully an expert adviser under its control. The subject of agricultural improvement is neither easy nor simple. On the scientific side the utmost skill and care are required if money is not to be wasted. Equally propaganda must be well-directed and must be based on facts for which the chief officers of the department

accept full responsibility. To give a cultivator advice which results in loss is worse than useless and might give the work a set-back from which it would take many years to recover. I would therefore submit that the proper course is that which is now followed by Government, namely, the entertainment of a well-trained staff distributed throughout the province and engaged in instructing cultivators in the advanced methods and ideas which are worked out in the central and district farms. Government at present can see no possibility of working out the idea of the mover of this motion and I would ask the House to accept that view and reject this motion.

Sir, I oppose all these motions.

(A VOICE: Very good!)

The motion of Babu Naliniranjan Sarker was then put and a division taken with the following result:—

AYES.

Ahamad, Maulvi Kasiruddin.	Maiti, Babu Mahendra Nath.
Ahmed, Khan Bahadur Maulvi Emaduddin.	Meitra, Srijut Jogendra Nath.
Bagchi, Babu Romes Chandra.	Mukerjea, Srijut Taraknath.
Banerjea, Dr. Pramathanath.	Nandy, Manaraj Kumar Sris Chandra.
Banerjee, Babu Promotha Nath.	Nasker, Babu Hem Chandra.
Biswas, Babu Surendra Nath.	Pal Choudhuri, Mr. Ranjit.
Bose, Babu Bejoy Krishna.	Rahim, Sir Abd-ur-.
Chaudhuri, Maulvi Nurul Huq.	Rahman, Maulvi Shamsur-
Dutt, Babu Saral Kumar.	Rahman, Mr. A. F. M. Abdur-.
Ghose, Babu Amarendra Nath.	Ray, Dr. Kumud Sankar.
Ghosh Maulik, Mr. Satyendra Chandra.	Ray, Srijut Radha Gobinda.
Gupta, Mr. Jogesh Chandra.	Roy, Dr. Bidhan Chandra.
Hoque, Kazi Emdadul.	Roy, Mr. D. N.
Hussain, Khan Bahadur Maulvi Syed Naqbul.	Sanyal, Babu Sachindra Narayan.
Karim, Maulvi Abdul.	Sarker, Babu Naliniranjan.
Khan, Babu Debendra Lal.	Sen, Srijut Nagendra Nath.
Khan, Khan Sahib Maulvi Muazzam Ali.	Sen Gupta, Mr. J. M.
	Suhrawardy, Mr. H. S.

NOES.

Blair, Mr. J. R.	Marr, the Hon'ble Mr. A.
Cassells, Mr. A.	McCluskie, Mr. E. T.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.	Mitter, the Hon'ble Sir Provash Chunder.
Clark, Mr. I. A.	Moberly, the Hon'ble Mr. A. N.
Cohen, Mr. D. J.	Mukerji, Mr. S. C.
Cash, Mr. A. J.	Philip, Mr. J. Y.
Drummond, Mr. J. G.	Ray, Babu Surendra Nath.
Pyfe, Mr. J. H.	Ray Chaudhuri, Mr. K. C.
Ghose, Mr. M. C.	Rose, Mr. C. F.
Gilchrist, Mr. R. N.	Roy, Mr. Bijoy Prasad Singh.
Guha, Mr. P. N.	Sarker, Rai Sahib Rebati Mohan.
Gurner, Mr. C. W.	Stapleton, Mr. H. E.
Hegg, Mr. G. P.	Tate, Major General Godfrey.
Hopkyns, Mr. W. S.	Thompson, Mr. W. H.
Laird, Mr. R. S.	Travers, Mr. W. L.
Lamb, Mr. T.	Twynam, Mr. H. J.
	Wordsworth, Mr. W. C.

The Ayes being 35 and the Noes 33, the following motion was carried:—

"That the demand of Rs. 61,500 under the head '34B.—Agriculture—Transferred—Superintendence' be reduced by Rs. 101 (to

discuss the desirability of having a Jute Board for the improvement of the jute trade industry and the functions of such Board, etc.)."

The motion of Maulvi Shamsur-Rahman was then put and lost.

The motion of Mr. Satyendra Chandra Ghosh Maulik was then put and lost.

The motion of Kazi Emdadul Hoque was then put and lost.

Mr. PRESIDENT: As the time-limit has been reached, I will put the demand for grant, as amended by this Council, to the vote.

The time-limit under the head "34.—Agriculture" having been reached, the following motions were not put:—

Babu JITENDRALAL BANNERJEE and Maulvi SYED ABDUR RAUF: "That the demand of Rs. 21,000 under the head '34C.—Co-operative credit—Pay of Registrar' be reduced by Rs. 9,000."

Mr. D. N. ROY: "That the demand of Rs. 2,86,726 under the head '34C.—Agriculture—Co-operative Credit—Pay of establishment—Inspectors and Auditors' be refused."

Maulvi SHAMSUR-RAHMAN: "That the demand of Rs. 6,72,000 under the head '34C.—Co-operative Credit' be reduced by Rs. 2,00,000."

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 6,72,000 under the head '34C.—Co-operative Credit' be reduced by Rs. 100 (to call attention to the mal-administration of the department generally)."

Babu BEJOY KRISHNA BOSE: "That the demand of Rs. 6,72,000 under the head '34C.—Co-operative Credit' be reduced by Rs. 100 (to condemn the way affairs are administered and the increase in expenditure)."

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 6,72,000 under the head '34C.—Co-operative Credit' be reduced by Rs. 100 (to raise a discussion on the general policy and administration of the Department)."

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 6,72,000 under the head '34C.—Agriculture—Co-operative Credit' be reduced by Re. 1 (to discuss the present system of work)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 6,72,000 under the head '34C.—Co-operative Credit' be reduced by Re. 1. (Unsatisfactory working of the Department)."

Babu AKHIL CHANDRA DATTA: "That the demand of Rs. 6,72,000 under the head '34C.—Co-operative Credit' be reduced by Re. 1. (Inadequate auditing staff)."

Mr. JOGESH CHANDRA GUPTA: "That the demand of Rs. 23,91,000 under the head '34C.—Agriculture' be reduced by Rs. 101 (to criticise the policy and inactivity regarding water hyacinth)."

Babu BEJOY KRISHNA BOSE: "That the demand of Rs. 23,91,000 under the head '34.—Agriculture' be reduced by Rs. 100. (Want of a definite policy of Government and failure to accept the recommendations of its advisers)."

Babu AMARENDRA NATH GHOSE: "That the demand of Rs. 23,91,000 under the head '34.—Agriculture' be reduced by Rs. 2 (to discuss the general policy of Government in connection with Veterinary charges, original works and Co-operative Credit)."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 23,91,000 under the head '34.—Agriculture (Reserved and Transferred)' be reduced by Rs. 2. (Policy in regard to grants of agricultural loans)."

Maulvi SYED ABDUR RAUF: "That the demand of Rs. 23,91,000 under the head '34.—Agriculture' be reduced by Re. 1 (to express dissatisfaction with the general policy of the Government and specially with the appointment of two Assistants to the Cattle Expert)."

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 23,91,000 under the head '34.—Agriculture' be reduced by Re. 1 (to discuss the question of re-establishing an Agricultural School at Chinsura)."

Maulvi NURUL HUQ CHAUDHURI: "That the demand of Rs. 23,91,000 under the head '34.—Agriculture' be reduced by Re. 1 (to express disapproval of the action of the Government in appropriating audit fees realised from societies to general revenue instead of utilising the same for the purpose for which they are realized and also to criticise the administration generally)."

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 23,91,000 under the head '34.—Agriculture' be reduced by Re. 1 (as a mark of want of confidence of this House)."

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 23,91,000 under the head '34.—Agriculture (Reserved and Transferred)' be reduced by Re. 1 (to criticise the policy of the Department and the neglect of agriculture by the Government)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 23,91,000 under the head '34.—Agriculture' be reduced by Re. 1. (Agricultural policy and inadequacy of service rendered by the Department)."

Babu AKHIL CHANDRA DATTA: "That the demand of Rs. 23,91,000 under the head '34.—Agriculture (Reserved and Transferred)' be reduced by Re. 1. (General policy)."

The motion that a sum of Rs. 23,91,000, as amended by the Council, be granted for expenditure under the head "34.—Agriculture" was then put and agreed to.

[At 4-30 p.m. the Council was adjourned for prayer and it reassembled at 4-45 p.m.]

35.—Industries.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: Mr. President, Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 12,78,000 be granted for expenditure under the head "35.—Industries."

This budget provides for the Electrical Adviser; the Industries Department proper (including expenditure on technical and industrial education and industrial development); and Cinchona Plantations in Bengal. Very little explanation is required in regard to the Electrical Adviser and Cinchona Plantations budgets. The estimates provide for the normal requirements of the departments except for small increases due to increments to officers and their staff. The small provision of Rs. 1,500 in the Cinchona budget for a dynamo is required for working the tablet machines recently installed at the Government factory at Mungpoo. The dynamo at present in use is small and is not powerful enough for working the present machinery. It will be sold.

Turning to the Industries Department, I may be permitted to say at the outset that financial stringency has been a great handicap to extension of the activities of the department, but I am in a position to

say that this department has not altogether been left out in the cold. According to the policy of Government to stimulate technical and industrial education mainly by means of grants-in-aid, provision has been made for an additional grant of Rs. 30,000 a year thereby raising the total amount of grants-in-aid to Rs. 2,78,000.

The manufacture of soap and shellac as cottage industries has been investigated with encouraging results. With a view to stimulate this industry and to instruct people in the improved methods provision has been made for the entertainment of a small party of skilled workers who will go round in the mufassal and give practical demonstrations.

The item for purchase of four theodolites for the Technical School at Rangpur hardly requires explanation. These are required for replacing unserviceable instruments as well as for meeting additional requirements of the students of the survey class.

At the Bengal Tanning Institute it has been found desirable to train the students in the art of boot and shoe making so that they may take up this industry on their own account at a much smaller cost than is required for opening tanneries. In recent years young men of the *bhadralok* class have taken to this profession but for want of technical knowledge they are still in the hands of those who are engaged in the manufacture of boots and shoes. The establishment of a boot and shoe making department in the Institute will, it is hoped, go a great way to solve the problem of unemployment and open up a new avenue to young men of the middle class.

It is a matter of common knowledge that the people engaged in the manufacture of brass and bell-metal articles, have been following the old and laborious processes of their forefathers. The Industries Department has been able to devise improved processes of work and is now in a position to demonstrate these processes. It is proposed to employ a trained staff for demonstration in selected centres among the brass and bell-metal workers in the province.

As regards State Technical Scholarships Government have decided to extend the present programme of granting two scholarships each year for another five years from 1929-30.

Mr. PRESIDENT: I think we should have one discussion on motions Nos. 716 to 724.

The following motions were called but not moved:—

Babu MANMATHA NATH ROY: "That the demand of Rs. 45,000 under the head '35A.—Industries (Reserved)—Superintendence' be reduced by Rs. 100. (Policy of superintendence)."

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 1,56,000 under the head '35A.—Industries (Transferred)—Direction' be reduced by Rs. 50,000."

Dr. KUMUD SANKAR RAY, Babu AMARENDRA NATH GHOSE, Maulvi SYED MUHAMMAD AFZAL, Mr. A. F. M. ABDUR-RAHMAN, Kazi EMDADUL HOQUE and Maulvi KHORSHED ALAM CHOUDHURY: "That the demand of Rs. 1,13,000 under the head '35A.—Industries (Transferred)—Industrial Development' be reduced by Re. 1 (to criticise the policy of management of the Bengal Tanning Institute under the part-time Superintendent)."

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 1,13,000 under the head '35A.—Industries—Industrial Development' be reduced by Re. 1 (to discuss the insufficiency of the grant)."

Babu ROMES CHANDRA BACCHI: Sir, I beg to move that the demand for Rs. 1,13,000 under the head "35A.—Industrial Development" be reduced by Re. 1. (Urgent necessity of developing silk industry of Bengal by introducing improved methods of reeling and spinning, etc.).

Sir, by this motion I beg to draw the attention of the Government to the dying silk industry of Bengal. Bengal was once famous for its silk, but foreign silk owing to its fineness and cheapness is practically commanding our market. My own district Malda is still the biggest silk producing district of Bengal. The value of the raw silk it produces is nearly a crore of rupees per year. In any free country this raw silk would have produced finished silk cloth to the value of at least ten to fifteen crores of rupees per year. But the immense possibilities of this industry have been totally ignored and are still being overlooked.

The defects from which our silk suffers may be remedied if proper attention is given by the authorities to remove them. Our silk as a manufactured product is inferior in texture and fineness to foreign silk. Our spinner cannot spin to a given count as they spin in the old method. Again, their reeling is also defective. It is the old method prevalent in this country which is another reason why the Indian silk is not much in demand. If improved methods of reeling and spinning can be introduced, there is no reason why with other improvements in the direction, reducing the cost of production and improving its quality, our silk will fail to compete with foreign silk. At present the Government silk farm at Malda devote their attention to supply disease-free seeds to rearers. But as this is a necessary item for improving our silk the importance of introducing new methods of reeling and spinning should not be overlooked. I think the matter will be considered by Government experts along with the broad question of

how to revive our silk industry in order to enable it to compete with foreign silk and I hope Government experts will devote their attention to this important aspect of the question.

The following motions were called but not moved:—

Babu MANMATHA NATH ROY: "That the demand of Rs. 8,51,000 under the head '35A.—Industries (Transferred)' be reduced by Rs. 100. (Discuss the policy of the Department)."

Maulvi SYED MUHAMMAD AFZAL, Mr. A. F. M. ABDUR-RAHMAN, Babu AMARENDRA NATH GHOSE, Dr. KUMUD SANKAR RAY, Kazi EMDADUL HOQUE and Maulvi KHORSHED ALAM CHOUDHURY: "That the demand of Rs. 1,21,600 under the head '35A.—Industries (Transferred)—Pay of officers' be reduced by Re. 1 (to criticise the policy of Government to maintain a highly paid Principal for the Serampore Government Weaving Institute)."

Babu SARAL KUMAR DUTT: Sir, I beg to move that the demand of Rs. 1,98,000 under the head "35A.—Industries (Transferred)—Technical and Industrial Schools" be reduced by Re. 1 [to call attention to the need for developing the Barisal Technical School (provincialised) into a useful institution by giving effect to the scheme already prepared by the Government but kept in abeyance for more than a couple of years.]

My object for moving this token cut has already been stated.

This school has become a useless and scandalous institution. It is simply dragging on a moribund existence and no useful purpose can be served by it unless it is immediately re-organised. I am not an expert in technical subjects, so let me refer to what the officials of this department say:—

"It has been realised that running as at present means expense without any return. All the members of the managing committee including the District Magistrate agree that the school should be either improved or closed down."

The same report says that the present arrangement is most unsatisfactory. The appliances are primitive and inadequate and the training does little to improve the earning capacity of boys when they leave.

This school was started by the Bakarganj District Board in 1890, *i.e.*, nearly 40 years ago. The Board found it beyond their financial capacity to run this school and decided to hand it over to Government.

The school was provincialised in 1909 and since then it has been run by Government; the Board merely granting Rs. 2,000 a year for the stipends of poor boys.

Extensive lands costing Rs. 65,000 were acquired in 1914 for the purpose of erecting buildings for hostel accommodation and locating the workshop of the school.

5 p.m.

A scheme for expansion was drawn up in 1919, plans and estimates were submitted and administrative sanction of Government was obtained for Rs. 1,06,000.

In 1922, the estimate was revised, it passed through a long process of red-tape, the question of deprovincialisation according to the Retrenchment Committee Report was discussed and finally the scheme was kept in abeyance for enhanced prices of materials due to the Great War.

After that, the plea was that the establishment of a National Technical School had adversely affected the interest of the school. But this school is not now in existence, all that remains of it is a small cutlery factory where willing students are admitted.

Now, Sir, the coast is clear and there will be no difficulty for smooth sailing of the school. No more obstacles in the way, no national school to threaten its existence, no Great War to enhance the cost of materials. We do not understand what is at the back of the minds of the authorities of the Industries Department. After having given a promise, they ought not to go back upon their words. I may read from the Annual Administration Report of the Department of Industries for 1926. If you, Sir, turn to page 28, paragraph 107 of that Report, you will find that a promise was made. This is what the Report says:—

"These give a preliminary training to artisans and technical students who intend to work as mistries, contractors or manufacturers or go on as recruits to the senior technical schools. The existing schools require reorganisation, apart from the fact that Government desire the four Government schools to serve as model institutions, ..."

In the list, the Barisal school stands first. But since then nothing has been done.

Government have been spending nearly Rs. 10,000 a year for the maintenance of this school and has already invested a sum of Rs. 65,000 for the purchase of lands. Having spent so much, is it right to cry "halt"? Government ought to make it a success or save this enormous annual waste of money by abolishing it.

I understand that the Industries Department is trying to gain public confidence and the Inspector of Technical Schools and the Industrial Engineer are sparing no pains to make this department popular. I hope they will try to convince the departmental authorities the immediate need for reorganisation of the school.

If I get any sympathetic assurance from the Hon'ble Member-in-charge, I may not press this motion.

The following motion was called but not moved:—

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs. 5,82,000 under the head '35A.—Industries—Industrial Education' be reduced by Re. 1 (to draw attention to the importance of establishing a Technological Institute)."

SECRETARY to GOVERNMENT, DEPARTMENT of AGRICULTURE and INDUSTRIES (Mr. C. P. Hogg): Sir, I rise to reply to the two points which have been raised in the course of this debate. The first relates to the silk industry which, it is well known I presume to all members of this House, has not been flourishing for a number of years. Now, Sir, the Government of Bengal had its notice brought some years ago to the condition of this industry, and in the year 1921, *i.e.*, during the first Ministry under the Reforms, this subject was taken up. A scheme was initiated and in 1927 a silk weaving institute was opened at Berhampore, the centre of the silk industry in Bengal. That institute is equipped with power looms of the latest description, and a large number of students have been attracted to it by the grant of scholarships on a very liberal scale. Government have awarded in the lower classes 30 scholarships and in the advanced course 20 scholarships. A large number of candidates came forward, and the school is now in a flourishing condition. But the interest of the Government of Bengal in the silk industry does not end there. The Silk Co-operative Union of Malda has been extending its activities rapidly, and in the current year the Government of Bengal propose to grant to that society a loan of Rs. 50,000 free of interest to enable them to extend their activities in the silk rearing industry. It is hoped that by the combination of these two forms of assistance something may be done to restore the silk industry of Bengal to its former prosperity.

Then, Sir, the other point that has been raised relates to the school at Barisal. It is perhaps within the recollection of members of this House that the Retrenchment Committee recommended that four schools in the province of Bengal should be retained under the control of Government and developed as model institutions. The school at Barisal is one of these institutions and the Government of Bengal have given their approval to a proposal to rebuild the institution at a capital cost of Rs. 1,33,000. The cost for machinery will be about Rs. 42,000 (I speak in round figures) and the recurring cost will be between Rs. 14,000 and Rs. 15,000. I need hardly say that that scheme will be put into effect—the House may easily guess what I am going to say next—as soon as funds are available. Until funds are available,

nothing can be done to put this scheme into operation, but I would submit that by the provision of a large sum in this budget for the expansion of the field of technical education, namely, Rs. 4,85,000 out of a total budget of Rs. 8,81,000 or roughly 66 per cent. of the total, the Government of Bengal have shown that they have the best interests of technical education in the province of Bengal constantly before them, I would therefore oppose these motions.

Babu SARAL KUMAR DUTT: May I ask a question in this connection, Sir? That question is, so far as I could understand the Hon'ble Member, he has told the House that as soon as funds will permit, Government will carry the organisation scheme into effect. But may I know the approximate time when they expect to do so?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: It is not possible to say, Sir.

Babu ROMES CHANDRA BACCHI: I beg leave to withdraw my motion.

The motion of Babu Romes Chandra Bagchi was then, by leave of the Council, withdrawn.

The motion of Babu Saral Kumar Dutt was then put and lost.

The following motion was called but not moved:—

Mr. SATYENDRA CHANDRA GHOSH MAULIK: "That the demand of Rs. 3,36,000 under the head '35B.—Cinchona plantations' be reduced by Rs. 100. (Want of steps for free supply of quinine in malaria-stricken locality)."

Mr. PRESIDENT: I will now take up motions Nos. 736 to 743, and there will be one discussion on them.

The following motions were called but not moved:—

Mr. JOGESH CHANDRA GUPTA: "That the demand of Rs. 12,78,000 under the head '35.—Industries' be reduced by Rs. 101. (Policy of the department—aid to industries' technical education, insufficiency)."

Babu BEJOY KRISHNA BOSE: "That the demand of Rs. 12 78,000 under the head '35.—Industries' be reduced by Rs. 100. (Inadequacy of the amount of the grant and want of a clear and definite policy)."

Srijut RADHA GOBINDA RAY: I beg to move that the demand of Rs. 12,78,000 under the head "35.—Industries (Reserved and Transferred)" be reduced by Re. 1 (to raise a discussion on the general policy and administration of the department).

Sir, the object of my motion is to raise a discussion on the general policy and administration of the department. The industrial problem of Bengal is no less critical than the problem of health, agriculture and irrigation. The industries of the province have been completely ruined during the British rule. The English rulers have made no attempt whatsoever to improve the industries of the province. On the contrary, they have made systematic attempts to cripple and crush the cottage industries of the land in order to make this country the dumping ground of British industrial products. The cruel methods employed during the rule of the East India Company are indeed a painful reading. The poor weavers of Bengal were tortured and put to all sorts of difficulties simply because they were not in a position to carry out the unscrupulous and cruel demands made by the British traders. Now, Sir, the present Government have established the Industries Department with the ostensible object of improving the industries of the province—with what effect we know very well! This department spends Rs. 1,85,000 for directing the industrial development of this province. What the policy of this department is, I must frankly confess, I have not been able to understand. From the budget figures we find that there are several officers in this department directing the industries, perhaps writing out reports. Perhaps Government think that by writing out beautiful reports the industries of the province will be improved. What is the effect of keeping this department? From my personal knowledge I can say something, because I happen to live in a place where industries had once been the primary occupation of the people; but now all these industries have been ruined and those people who used to live on those industries are on the verge of starvation. From my personal knowledge I can say that these industries have not been in the least improved by this department. The technical experts of this department sometimes go to these places with the ostensible object of teaching improved methods of industry to the artisan classes. But they generally come back without giving any practical demonstration of real value to the artisan classes. I myself have watched some several such demonstrations in my native town of Bishnupur and I may tell this House that all these demonstrations have proved absolute failures.

5-15 p.m.

Sir, so far as my experience goes their technical knowledge is merely theoretical and they are not in a position to give any practical help to the various industries of the province.

Sir, for industrial education Government spends Rs. 5,84,000. What is the industrial education that is being imparted to students? The students of the Serampore Weaving Institute after their final course of training are not even in a position to earn their livelihood by their technical knowledge. They always move about from door to door with the object of securing some job in some industrial school. And if they are asked to start a factory they will be in a hopeless fix what to do. They will say that our technical knowledge is so meagre and so low as not to admit us of the venture. Well, Sir, this is the type of knowledge which is being given in an institution like this. Sir, I ask the Member-in-charge to speak freely what is the real idea—what is the real principle and policy of the Industries Department. Sir, one word more and I have done. Sir, the weavers of Vishnupur subdivision about whom I spoke twice in this Council are extremely in a pitiable condition. I ask the Member-in-charge of this department whether he is in a position to give any substantial help to these people so that they may earn their livelihood by improved machineries which this department have been able by this time to introduce.

Babu BIJAY KUMAR CHATTERJEE: Sir, I beg to move that the demand of Rs. 12,78,000 under the head "35.—Industries" be reduced by Re. 1 (on the ground that the Government is taking no steps for saving the silk and cotton industry in Bankura district and that no attempt is being made to save the weavers from ruin and, further, on the ground that the Government is making no attempt to improve industries in Bengal).

In moving this token cut I beg to invite attention of Government to the deplorable condition and the extreme poverty of the artisans of Bengal, especially the weavers of the districts of Bankura, Vishnupur, and other places. It is well known that before the advent of the British, the country was full of industries and the people were happy and contented. They used to earn their livelihood and maintain their families. Sir, I do not want to trace the history of the establishment of foreign trade and commerce in India at the cost of ruin of the industry of Bengal and other places. I would, however, remind members of this House that that history has no parallel in the world. I know that the problem at present is very difficult. But my grievance is that the Government is not taking any steps to attempt to solve this problem. Government should appoint a Committee of Enquiry and should take the help of non-official members as well as the public. Government should purchase the cloth that they use in various departments from the local people and this would help the cotton industry in Bengal. It is a matter of great regret that we do not find the same quality of silk and ivory manufactures

which used to be produced in Murshidabad and other places and it is the duty of the Government to save the people by saving the art and industries of this province. With these words I move my motion.

Kazi EMDADUL HOQUE: I beg to move that the demand of Rs. 12,78,000 under the head "35.—Industries (Reserved and Transferred)" be reduced by Re. 1. (Insufficiency of grant).

Sir, I am aware that in maintaining the Department of Industries Government have to incur considerable expense for the upkeep of the various offices. More money is spent on this rather than for any real work in the mufassal. Mere promulgating theories would not do. Materialisation of the scheme is necessary. In India there were various industries. In my own district ivory industry and sugar and tobacco industries at one time flourished considerably but they are in a moribund condition now. If Government can find funds for the revival of these industries, much good will be done. Government does not seem to do anything in this direction. Sir, I do not deprecate the expense of the offices of the department, I do not say that the establishment is not necessary at all. What I say is that if it is necessary to maintain offices it is also necessary to start factories and other things in the mufassal; but it is not done. The money is not given commensurate with the real needs of the mufassal. I do not say that the officers who are appointed to run the department are doing absolutely no work. I do not deprecate their work but rather appreciate it. But what I say is this: that there is not sufficient funds at their disposal for doing substantial work in rural areas. If funds are available these people will find scope for doing real good in the villages. In this connection I would suggest that Government should allot some fund and place it at the disposal of the union boards. The union boards will supplement that fund and with this united fund they may encourage the villagers who are already carrying on industries in a very humble way. If the villagers can get such support from the union boards then I am sure that in a very short time the Industries Department will be very much appreciated by the people. With these words I move my motion.

The following motions were called but not moved:—

Babu AKHIL CHANDRA DATTA: "That the demand of Rs. 12,78,000 under the head '35.—Industries (Reserved and Transferred)' be reduced by Re. 1 (to protest against the inadequate provision for the industrial development of the province)."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 12,78,000 under the head '35.—Industries (Reserved and Transferred)' be reduced by Re. 1 (to discuss the policy of Government in regard to industry)."

5-25 p.m.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: Sir, the first item that has been attacked in this budget is the expenditure under the head "Direction." Now, Sir, I would point out that under this head in this budget there are many large and costly items which have no connection whatsoever with "Direction" or "Supervision" as such but appertain really to industrial development. These items include the salaries of the Industrial Chemist, the Industrial Engineer, the training of textile demonstrators and the staff of the demonstration weaving parties. These officers were formerly attached to the Institute at Serampore, but last year were transferred to the control of the Director in Calcutta. This explains the increase of expenditure under the head "Direction." In actual fact this technical staff is employed continuously in the mufassal in the demonstration of improved methods of weaving and dyeing in silk and cotton. These parties are following a definite programme which will eventually take them over the whole province and their work is properly that of development of industry and not direction.

Similar observations apply to the work of the Industrial Chemist who is employed entirely at the research laboratory on the investigation of raw materials available in this province and their suitability for use in industrial enterprises. Last year he made considerable progress in connection with oils and soaps. His work attracted the attention of a large number of people interested in this industry, some of whom attended the laboratory for instruction. A course of training was therefore started for which 140 candidates came forward. Most of these were young men already engaged in the trade, or intending to enter it. A small group of apprentices was chosen from these candidates and they were put through a practical course in oil refining and soap manufacture. At the same time a demonstration party was sent out to various places in the mufassal. Their methods attracted a widespread attention not only from the general public, but from those engaged in this manufacture. In every locality a number of learners were put through a definite course and there is no doubt that by this means a considerable improvement in the quality of Bengal soap will be achieved. Other subjects are receiving the attention of the Chemist and I would mention more particularly his success in improving the crude form in which shellac is sent out to Calcutta from the producing districts. Shellac demonstration party in Malda last year was an undoubted success and it will be retained in the coming year. In all his activities the Chemist is in direct contact with those engaged in industry under investigation and there is every reason to believe that this section of the work will develop rapidly in the immediate future.

In the Engineering section very similar progress falls to be recorded. The Engineer has designed various simple machines to help the small industrialists. With the conch shell cutting machine 8,000 rings were cut free of cost last year for the artisans in Dacca. The machine has passed beyond the experimental stage and is in constant use. The paddy husking machine designed by the Engineer is now being sold at the rate of 800 per month and a small engineering work in Calcutta is engaged entirely on its manufacture. I trust, therefore, that the House will agree that a large proportion of the expenditure under the head "Direction" is directly devoted to the development of industry. The cost of the items I have mentioned is Rs. 56,000 in round figure and if this sum be deducted from the total under this head we are left with Rs. 1,29,000 as the real expenditure on "Direction" or 14 per cent. of the total budget. This, I submit, Sir, is not excessive.

If we transfer Rs. 56,000 from "Direction" to "Industrial Development" for which Rs. 1,13,000 is provided the total real expenditure under that head comes to Rs. 1,69,000 or 20 per cent. of the total. The main criticism is that the sum is insufficient. First of all I should like to explain briefly what is being done. At the Bengal Tanning Institute a large number of apprentices passed through a long course in the theory and practice of tanning in all its branches. In the laboratory scientific instruction and research of an advanced type is constantly going on, and the success of the Institute is proved by the large number of its students who obtain employment on completion of the course.

Attached to the tannery there are practical demonstration parties constantly employed in the mufassal. These parties illustrate by lectures and leaflets the defects that there are in Bengal hides and skins and at the same time they demonstrate the modern methods of treating hides and skins.

This year further developments have been sanctioned. A practical course in boot and shoe manufacture will be started at the tannery. This will complete our work in connection with leather. From the treatment of the raw hide to the manufacture of finished goods complete instructions, both practical and scientific, will be available. I feel sure that the House will agree that the Government of Bengal have not been backward in endeavouring to place this industry on a sound footing.

The other item under this head of the budget is the expenditure on research laboratory and on demonstration parties sent out by the Engineer and the Chemist. In the laboratory these officers have ample facilities for their work. I have already referred to the demonstration parties in connection with brass and bell-metal and the soap

and shellac industries. Their work lies entirely in the mufassal. Progress must, of course, be slow in a province of the size of Bengal, but nevertheless the effect is cumulative and year by year increasing attention is being drawn to the possibility of using to greater advantage materials available in the province and to opening for a useful and successful career in industrial pursuits.

But however useful demonstration and experiment may be they are not in the opinion of Government so important as the necessity of making adequate provision for technical education, as a steady supply of trained men is imperative before the industrialists of this province will be able to utilise its resources to the best advantage. The expenditure under this head is Rs. 5,84,000 or 66 per cent. of the total budget. First of all I would remind the House of the weaving department. Serampore which has been training men for 20 years is now being rebuilt at a cost of Rs. 2,44,000. Power loom machinery will be set up and it is hoped the college will continue to turn out men able to train the weavers throughout the province. With regard to Bankura there are three peripatetic schools at Shyamnagar, Raipur and Chatna. There are 65 co-operative societies affiliated to the local central banks. There is also a sale depôt in Calcutta, through which facilities are given for the sale of finished goods. There are now 9 district schools, 26 peripatetic schools and 12 aided schools in the province, in addition to the demonstration parties to which I have already referred. The supply of improved appliances has been made easy by a grant of Rs. 10,000 to enable the department to hold a stock for sale to weavers who are interested in new methods. Wherever they go the demonstration parties and peripatetic instructors are able to supply at once any appliance for which there is a demand. With regard to technical education Government accepted the view of the Retrenchment Committee that four model technical schools should be maintained in Bengal, *viz.*, at Barisal, Rangpur, Bogra and Pabna. Others have been established on a grant-in-aid basis. Government decided two years ago that the department should not be hampered in any way in the matter of funds in completing its arrangements with the local authorities. It was, therefore, decided to make an additional recurring grant of Rs. 30,000 per annum to the grant-in-aid allotment. The Director of Industries is thus in a position to incur further recurring expenditure each year up to a total of Rs. 30,000 in the full confidence that a further Rs. 30,000 will be granted in the following year to enable him to continue a policy of expansion. I submit, therefore, Sir, that the Government could not do more in respect of the grant-in-aid allotment. It increases automatically each year and thus provides for the continuous expansion of technical education.

With regard to the four model schools at Barisal and elsewhere, schemes have been prepared to place them on a proper basis. These have been administratively approved and they will be put into effect as soon as funds are available.

The technical school in Calcutta has already its value. The apprenticeship system is working well. It is true that at the present moment activities of the school are confined to mechanical and technical engineering, but from time to time special courses in various subjects such as motor engineering, oil refining, and soap manufacture have been held. These special courses have been surprisingly successful and there is no reason to believe that the day is not far distant when the Calcutta Technical School will develop into a technological institute worthy of the city of Calcutta in which scientific training will be given in all branches of applied engineering.

I would invite the special attention of the House to the expenditure of Rs. 23,500 on mining instruction in the coal-fields. Whatever may be the future of that important industry it will always require a steady supply of trained men. The rules and regulations under the Coal Mines Act require that mining work should be under the control of fully qualified men. Hence, in this respect Government are helping many young men to a useful career.

Finally, I would direct attention to the large sums that are provided for scholarships. These total Rs. 47,000. I need hardly say that many artisans who wish to follow an industrial course belong to the poorer section of the community and they can only give up their work at home to learn improved methods if a small scholarship is awarded.

On a broad review of the situation I would submit that the Government of Bengal have not failed in their duty to train and educate the industrialists, to investigate the possibility of using the raw materials of the province to better advantage and to demonstrate such improved methods as might be of use to artisans throughout the mufassal. I trust that in this general survey and defence of the work of the department the doubts and difficulties which some members may feel regarding this budget have been removed. If any information is required the Director and his staff will be only too glad to supply it. I feel that much of the criticism to which this department is subjected is due to a misunderstanding of its objects and methods and to lack of information regarding its activities. I trust that this review has supplied the necessary explanations and has convinced the members of this House that much has been done in the past and that the work of this department is developing on sound lines. Sir, I oppose these motions.

The motion of Srijut Radha Gobinda Ray was then put and lost.

The motion of Srijut Bijay Kumar Chatterjee was then put and a division taken with the following result:—

AYES.

Afzal, Maulvi Syed Muhammad.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Banerjea, Dr. Pramathanath.
Banerjee, Babu Promotha Nath.
Bose, Babu Bejoy Krishna.
Chatterjee, Srijut Bijay Kumar.
Clark, Mr. I. A.
Dutt, Babu Saral Kumar.
Ghose, Babu Amarendra Nath.
Guha, Mr. P. N.
Gupta, Mr. Jogesh Chandra.
Haque, Khan Bahadur Maulvi Azizul.
Hoque, Kazi Emdadul.
Husain, Khan Bahadur Maulvi Syed Naqbul.
Khan, Khan Sahib Maulvi Muazzam Ali.
Lamb, Mr. T.
Maiti, Babu Mahendra Nath.
Mukerjea, Srijut Taraknath.
Nasker, Babu Hem Chandra.
Rahman, Maulvi Azizur.
Rahman, Maulvi Shamsur.
Ray, Dr. Kumud Sankar.
Ray, Srijut Radha Gobinda.
Rose, Mr. G. F.
Roy, Dr. Sidhan Chandra.
Sarker, Babu Naliniranjan.
Sen, Srijut Nagendra Nath.
Travers, Mr. W. L.
Wordsworth, Mr. W. C.

NOES.

Blair, Mr. J. R.
Casselis, Mr. A.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Cohen, Mr. D. J.
Dash, Mr. A. J.
Drummond, Mr. J. G.
Fyfe, Mr. J. H.
Ghose, Mr. M. C.
Gilchrist, Mr. R. N.
Gurner, Mr. C. W.
Hogg, Mr. G. P.
Hopkyns, Mr. W. S.
Marr, the Hon'ble Mr. A.
Mitter, the Hon'ble Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. N.
Mukerji, Mr. S. C.
Roy, Mr. Bijoy Prasad Singh.
Sarker, Rai Sahib Rabati Mohan.
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur.
Solaiman, Maulvi Muhammad.
Stapleton, Mr. H. E.
Tate, Major General Godfrey.
Thomas, Mr. H. W.
Twynam, Mr. H. J.

The Ayes being 29 and the Noes 24 the following motion was carried:—

"That the demand of Rs. 12,78,000 under the head '35.—Industries' be reduced by Re. 1 (on the ground that the Government is taking no steps for saving the silk and cotton industry in Bankura district and that no attempt is being made to save the weavers from ruin and, further, on the ground that the Government is making no attempt to improve industries in Bengal)."

The motion of Kazi Emdadul Hoque was then put and lost.

The motion that a sum of Rs. 12,78,000, as amended by the Council, be granted for expenditure under the head "35—Industries" was then put and agreed to.

37.—Miscellaneous Departments.

Mr. PRESIDENT: I may tell the House that the time allotted for the discussion of this demand is 10 minutes.

The Hon'ble Mr. A. MARR: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 2,18,000 be granted for expenditure under the head "37.—Miscellaneous Departments."

The following motion was called but not moved:—

Srijut RADHA GOBINDA RAY: "That the demand of Rs. 2,18,000 under the head '37.—Miscellaneous Departments (Reserved and Transferred)' be reduced by Rs. 18,000."

The motion of the Hon'ble Mr. A. Marr was then put and agreed to.

40 and 60.—Civil Works.

The Hon'ble Mr. A. MARR: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 1,13,17,000 be granted for expenditure under the heads "41.—Civil Works" and "60.—Civil Works not charged to revenue."

The following motions were called but not moved:—

Babu MANMATHA NATH ROY: "That the demand of Rs. 26,76,000 under the head '41.—Civil works (Transferred)—Buildings' be reduced by Rs. 100 (to discuss the policy in the matter of buildings)."

Babu MANMATHA NATH ROY: "That the demand of Rs. 1,81,000 under the head '41.—Civil works (Transferred)—Communication' be reduced by Rs. 100 (to discuss the policy on the matter of communication)."

Babu AKHIL CHANDRA DATTA: "That the demand of Rs. 84,85,000 under the head '41.—Civil works (Reserved and Transferred)' be refused."

Srijut BIJAY KUMAR CHATTERJEE: Sir, I beg to move that the demand of Rs. 84,85,000 under the head "41.—Civil Works" be reduced by Rs. 40,00,000. In moving this cut I beg to state that the major portion of this amount is being spent on administration and on the salaries of highly paid officers. Sir, the Public Works Department is generally called the Public Waste Department. Money is spent like water on roads and buildings. We find that the buildings are built in such a way that after two or three years there are large cracks in the roofs and water flows into the rooms during the rains. The roads are also very badly made. Money is simply wasted in this way. With these words I formally move the motion that stands in my name.

Srijut NAGENDRA NATH SEN: I beg to move that the demand of Rs. 84,85,000 under the head "41.—Civil works" be reduced by Rs. 100 (on the ground that the portion of the Calcutta-Jessore-Khulna Road between Singlia and Khulna has not yet been provincialised).

My reason for moving this cut is that the portion of the Calcutta-Jessore-Khulna Road between Singlia and Khulna has not yet been provincialised. It is necessary that I should give a brief history of this road. It is a continuation of the Grand Trunk Road which runs from Delhi to Calcutta, and from Calcutta to Jessore, and from Jessore to Khulna. The portion of the road between Calcutta and Jessore is a provincial road and is kept well maintained in a macadamised condition. The portion of the road between Singlia and Khulna is not provincialised. The portion of the road between Singlia and Jessore is under the District Board of Jessore and the portion between Singlia and Khulna is under the District Board of Khulna. The condition of the District Board of Khulna is not such as to enable it to maintain the road in a proper manner. The annual motor races take place in the month of December, and nearly 300 to 400 cars take part in these races from Calcutta to Jessore. There is no reason why this portion of the road should not be provincialised. Some years ago a petition was submitted to Government in this connection, but Government turned a deaf ear to our representation. A question was asked in the Council, but the reply of the Government was disappointing. If one portion of the road is provincialised, why should not the other portion be provincialised as well. We are unable to understand the attitude of Government in this matter.

The following motion was called but not moved:—

Srijut BIJAY KUMAR CHATTERJEE: "That the demand of Rs. 84,85,000 under the head '41.—Civil Works' be reduced by Re. 1 (on the ground that the public has no confidence in this department)."

Mr. JOGESH CHANDRA GUPTA: Sir, I support the motion of my friend Srijut Bijay Kumar Chatterjee, and I want to say that the public has little confidence in this department. I would first of all point out to the House what has been written in this red book: "Against the sanctioned estimate of Rs. 1,02,08,000, the revised estimate has been fixed at Rs. 99,53,000, the bulk of the savings anticipated being under the head 'Original Works—Civil Buildings,' the progress of work being below expectation." I submit there is no reason why the department could not show better progress in these works. Sir, there is one particular grievance which I feel necessary to mention before this House. Sir, you are aware that Dacca is the second city in the province of Bengal, and it is also a well known fact that the courts in Dacca are crowded, and great inconvenience is suffered

both by the litigants and Judges on account of insufficient accommodation, insanitary surroundings, want of proper light, etc., etc. So far as the Civil Courts in Dacca are concerned, we know that the District Judge of Dacca has again and again pointed out the necessity of making improvements in the Civil Courts there, and yet we do not find any provision in the Civil Works budget with regard to this urgent need of Dacca. Sir, the Civil Courts are frequented by many people and it is absolutely necessary that the department should be up and doing in removing this grievance of the Dacca people, the existence of which is admitted alike by the officials and the people. With these words I support the motion.

The Hon'ble Mr. A. N. MOBERLY: Sir, I should like to say one word on this subject. I am quite prepared to admit the urgent necessity of having new civil courts at Dacca. I know that great inconvenience is caused by the distance of the present munsifi from the main Civil Courts. But, Sir, the question of buildings is a matter for consideration by Government as a whole. No department can get into the budget more than a small fraction of the number of buildings they require. In the case of the Judicial Department, we had a list of buildings for inclusion in the budget, and the Dacca Civil Court came very high in that list, but we were able to get only one scheme through, namely, the Asansol Court building. Next year we hope we shall be able to make provision for the Dacca Civil Court building. There is one further word, Sir, which I wish to say in this connection. It is proposed to make a cut of Rs. 40,00,000 from the demand. I submit that this is rather a big cut to make on the ground that we have not provided for one particular building.

The Hon'ble Mr. A. MARR: Sir, Babu Nagendra Nath Sen has raised the question of the road from Singlia to Khulna and he has complained that this road has not been provincialised as the rest of the road has been. This road is a district board road, and the district board has never come forward with any proposal that this portion of the road should be taken over by Government. Government have no intention of raising this question so long as the district board do not do so. Next year when the scheme for the new Road Board materialises, possibly this will be one of the projects before that Board for consideration. Until the district board make some move in the matter, I do not see how Government can take over the road. I submit that the discussion of the budget is not the proper time to raise a question like this.

Babu Bijay Kumar Chatterjee went into the question of the extravagance of the department. Now, this question was very fully examined at the time when the report of the Retrenchment Committee was

considered. The whole question of the retention of the Public Works Department was fully examined. Alternate methods were explored, and further the Public Works Department staff themselves examined the possibility of cheapening the work by a reduction in the standard of specifications.

6 p.m.

The results of all these enquiries were fully favourable to the Public Works Department. Transference to other agencies such as district boards would be neither economical nor practicable. The majority of the boards would not allow their staff to undertake the public works on a compensatory basis; and those who were willing would only entertain the proposal on payment of not less than 15 per cent. of the estimated cost for supervision. In actual fact our own figures showed that the Public Works Department establishment in the year 1922-23 worked out to 13·12 per cent. of the value of the work done. There would therefore be an increase in expenditure if public works were handed over to district boards on a 15 per cent. basis. I do not think I need say much about this matter, as the whole question was very fully examined and we found that we could not get a cheaper agency under present conditions. Of course, the idea of cutting this demand down by Rs. 40 lakhs is out of the question altogether. I therefore oppose all these motions.

Srijut BIJAY KUMAR CHATTERJEE: Sir, in view of the assurance given, I beg leave to withdraw my motion.

The motion of Srijut Bijay Kumar Chatterjee was then, by leave of the Council, withdrawn.

Srijut NAGENDRA NATH SEN: Sir, in view of the assurance given by the Hon'ble Member I beg leave to withdraw my motion.

The motion of Srijut Nagendra Nath Sen was then, by leave of the Council, withdrawn.

Mr. PRESIDENT: We could have one discussion on motions Nos. 756 to 760.

The following motions were not moved:—

Babu MANMATHA NATH ROY: "That the demand of Rs. 12,09,000 under the head '60.—Civil works not charged to revenue —Buildings' be reduced by Re. 1 (to discuss the policy in the matter of Buildings)."

Srijut JOGENDRA NATH MOITRA: "That the demand of Rs. 28,32,000 under the head '60.—Civil works not charged to revenue' be reduced by Rs. 25,00,000."

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs. 28,32,000 under the head '60.—Civil works' be reduced by Rs. 6,00,000."

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 28,32,000 under the head '60.—Civil works' be reduced by Re. 1 (to discuss as to why the budgeted amounts are not fully spent)."

Srijut BIJAY KUMAR CHATTERJEE: I beg to move that the demand of Rs. 28,32,000 under the head "60.—Civil Works" be reduced by Re. 1 (on the ground that the public has no confidence in this Department).

Sir, the same remarks I made on the previous motion will hold good here.

The Hon'ble Mr. A. MARR: Sir, I have nothing to add to what I have already said on this point.

The motion of Srijut Bijay Kumar Chatterjee was then put and lost.

The motion that a sum of Rs. 1,13,17,000 be granted for expenditure under the head "41.—Civil Works" and "60.—Civil Works not charged to revenue" was then put and agreed to.

43.—Famine Relief.

The Hon'ble Mr. A. MARR: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 50,000 be granted for expenditure under the head "43.—Famine Relief."

The following motion was called but not moved:—

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs. 50,000 under the head '43.—Famine relief' be reduced by Re. 1 (to draw attention to the necessity of undertaking permanent works for preventing famine, e.g., irrigation of lands in Balurghat subdivision)."

Srijut BIJAY KUMAR CHATTERJEE: I beg to move that the demand of Rs. 50,000 under the head "43—Famine relief" be reduced by Re. 1 (on the ground that during famine last year Government did not make any serious attempt to save the people and that the present grant is inadequate).

Sir, I beg to remind the House that last year Government suffered a defeat on the adjournment motion on the question of famine relief and the members of the House then thought that Government were not doing their duty. In the present year Government is spending

only Rs. 50,000 on such an important subject. I think that Govern-

permanent measures for the prevention of famine, as for example by irrigation schemes and such other means. With these few words, I beg to commend my motion to the acceptance of the House.

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, the very point that has been raised by the mover shows that there is no justification for this token cut. Last year, the Council was undoubtedly dissatisfied with the grant which was then asked for; and the Council did succeed in carrying an adjournment motion. This year we are making due provision: but if unfortunately larger sums are necessary according to usual practice larger sums will be provided for: for example, I may tell the House that last year altogether a sum of Rs. 44,85,712 was made available for famine relief under this head, although the original demand that was asked for was very much less. I can assure the House that Government will watch with every care the situation, and if unfortunately scarcity appears, money will be provided. I may further inform the House that after the adjournment motion Rs. 7,35,712 were provided and this token cut should not be by way of anticipation. If more money is necessary and it is not provided, then there will be occasion for moving a token cut.

The motion of Srijut Bijay Kumar Chatterjee was then put and a division taken with the following result:—

AYES.

Ahamad, Maulvi Kasiruddin.	Mukerjea, Srijut Taraknath.
Bancrjea, Dr. Pramathanath.	Nasker, Babu Hem Chandra.
Banerjee, Babu Promotha Nath.	Rahman, Maulvi Shameur-
Chatterjee, Srijut Bijay Kumar.	Ray, Dr. Kumud Sankar.
Dutt, Babu Saral Kumar.	Ray, Srijut Radha Gobinda.
Ghose, Babu Amarendra Nath.	Roy, Dr. Sidhan Chandra.
Gupta, Mr. Jogesh Chandra.	Sarker, Babu Naliniranjan.
Hoque, Kazi Emdadul.	Sen, Srijut Nagendra Nath.
Maiti, Babu Mahendra Nath.	

NOES.

Ahmed, Khan Bahadur Maulvi Emaduddin.	Laird, Mr. R. B.
Blair, Mr. J. R.	Lamb, Mr. T.
Cassells, Mr. A.	Marr, the Hon'ble Mr. A.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.	Mitter, the Hon'ble Sir Provash Chunder.
Clark, Mr. I. A.	Moberly, the Hon'ble Mr. A. N.
Cohen, Mr. D. J.	Mukerji, Mr. S. C.
Dash, Mr. A. J.	Philip, Mr. J. Y.
Drummond, Mr. J. G.	Rose, Mr. C. F.
Ghose, Mr. M. C.	Sarker, Rai Sahib Rebati Mohan.
Gilchrist, Mr. R. N.	Stapleton, Mr. H. E.
Garner, Mr. C. W.	Tate, Major General Godfrey.
Hoque, Khan Bahadur Maulvi Azizul.	Thomas, Mr. H. W.
Hogg, Mr. G. P.	Travers, Mr. W. L.
Hopkyns, Mr. W. S.	Twynam, Mr. H. J.
	Wordsworth, Mr. W. C.

The Ayes being 17 and the Noes 29, the motion was lost.

The following motion was not moved:—

Babu MANMATHA NATH ROY: "That the demand of Rs. 50,000 under the head '43.—Famine relief' be reduced by Re. 1 (to discuss the policy of the Department and the extent of famine relief)."

The motion that a sum of Rs. 50,000 be granted for expenditure under the head "43.—Famine Relief" was then put and agreed to.

45.—Superannuation and 45A.—Commutation of pensions financed from ordinary revenue.

The Hon'ble Mr. A. MARR: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 63,93,000 be granted for expenditure under the heads "45.—Superannuation" and "45A.—Commutation of pensions financed from ordinary revenue."

Mr. JOGESH CHANDRA GUPTA: I beg to move that the demand of Rs. 43,91,000 under the head "45.—Superannuation allowances and pensions" be reduced by Rs. 101. (Inequities in the case of Indian pensioners).

Sir, I want to emphasise the inequities, the grievances of small Indian pensioners. Sir, it is the hard-worked clerks and men in the lower services that help so much in the administration of the Government. While they are in service, they are ill-paid, and when they retire, they get only half of the poor pay that they used to draw. We know as a matter of fact that the European pensioners after having enjoyed fat salaries while in service get consideration on account of rise in the price of foodstuffs and several other things after retirement, but we find with the utmost regret that the case of the poor Indian pensioners does not receive the same consideration.

6-15 p.m.

Sir, at this late hour of the day and towards the fag-end of this long session if I do not want to detain the House with a long speech it is not because there are not many things to be said in favour of the pensioners, but I only want not to prolong the sitting of the session. Therefore, I will end by saying that it is up to Government to give their favourable consideration to the representations and the grievances of the poor Indian pensioners which they rightly deserve.

SECRETARY to GOVERNMENT, DEPARTMENT of FINANCE (Mr. A. Cassells): Sir, I may say at once that Government is as eager as the mover of the motion to make an improvement in the pension

terms of its inferior servants. The matter is at present under examination. I may recall the fact that orders were passed some years ago enhancing temporarily the pensions of those who are called inferior servants. These orders were in force up to 31st October; 1929; and it has recently been decided that these orders will remain in force for one year more—up to October, 1930, pending the revision of the terms of pensions granted to inferior servants. Not only in the matter of actual pension but on the question of the classification between inferior and superior services an examination will be made. I believe the mover had more in mind pensioners belonging to what is called the class of inferior servants than those belonging to the subordinate services. We are awaiting the Government of India Rules for the subordinate services before we decide regarding the pensions of our own subordinate services. But as regards the inferior services the matter is being taken up at once and the question is being examined whether they should be re-classified so as to improve their position and to what extent their pensions may be enhanced.

The motion of Mr. Jogesh Chandra Gupta was put and lost.

[At 6-20 p.m. the Council was adjourned for prayer and it reassembled at 6-35 p.m.]

Srijut NAGENDRA NATH SEN: I beg to move that the demand of Rs. 20,02,000 under the head " 45A.—Superannuation allowances and pensions—Commuted values of pensions " be refused.

Sir, it will be seen that this item has been tabled at page 284 of the Budget. The total amount of superannuation allowances and pensions is Rs. 63,93,000 of which under head " 45.—Superannuation allowances and pensions " are Rs. 43,91,000 and under " 45A.—Superannuation allowances and pensions—commuted values of pensions " are Rs. 20,02,000. I move this latter sum, Rs. 20,02,000 be altogether refused. My reasons are this: pension is granted to a Government officer solely for the purpose of enabling him to pass his old days in comfort and ease so that he is entitled to a pension out of the ordinary revenue which was in fact an original contract under which he entered Government service. If a pensioner wants to commute a portion of his pension, he gets a lump sum and for that a provision of Rs. 20,00,000 has been made in this year's budget. If this money were not earmarked for this it would be available for ordinary expenditure. Out of a total of Rs. 63,00,000 nearly one-third has been allotted for superannuation commutation, etc. I have been told by some responsible officer of Government that nearly 800 applications for commutation of pension are awaiting disposal and sanction of this amount by this Council. If this amount be refused then Rs. 20,00,000 will be realised from this head and be available for the nation building departments and other departments as well. I do not say that the question of commutation of pension is not open to

consideration. But I think that pensioners should not be allowed commutation at the cost of the ordinary revenue. The money should be spent for other purposes. This system of commutation I submit is a source of Government of revenue. A Government pensioner comes up for commutation and according to his age and health he is paid Rs. 13,000, Rs. 15,000 or Rs. 20,000. But if he dies the day after or two months after all this amount which he unjustly obtained is lost to Government. Therefore, I submit that the ordinary tax-payers should not be charged for the same. This sum should be allocated to the ordinary expenditure.

Mr. PRESIDENT: I think we may have one discussion on the motion which has just been moved and motions Nos. 769 and 770.

The following motions were called but not moved:—

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 20,02,000 under the head '45A.—Commutation of pensions' be reduced by Rs. 100 (to discuss the policy of the Government as regards the commutation of pensions)."

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 20,02,000 under the head '45A.—Commutation of pensions financed from ordinary revenue' be reduced by Re. 1 (to discuss the present policy of the Government in distributing these sums)."

6-45 p.m.

Babu AMARENDRA NATH GHOSE spoke in Bengali in support of the motion moved by Srijut Nagendra Nath Sen.

Mr. A. CASSELLS: Sir, I beg to oppose this motion and suggest that it should not receive the sympathy of the House. One of the speakers has said that if this sum of Rs. 20,00,000 is refused, that amount will be available for other purposes. Now, this sum of Rs. 20,00,000 is made up of certain items, and a certain amount of the expenditure is compulsory; for instance, it includes Rs. 4,00,000 for commutation, which must be given. Under the rules issued by the Secretary of State there are officers of certain all-India services, who are entitled to commutation. It has to be given and for that purpose Rs. 4,00,000 must be provided. Then, there is another sum of over Rs. 4,00,000 which is intended to be paid to other Governments, not strictly for commutation, but in order to pay the normal pensions of Bengal officers who go and live in those provinces. When a Bengal officer goes to live in another province after retirement, the arrangement is that his pension is paid in future from a treasury of that province, and that Government undertakes to pay his pension for the rest of his life, on the Bengal Government paying to that Government the commuted value of his pension. It is estimated that about Rs. 4,00,000 will have to be paid to other Governments for this purpose. This leaves

Rs. 12,00,000. This sum is intended for commutation of pensions to officers in Bengal. It includes an amount of Rs. 2,00,000, which is the normal amount of commutation which has been given annually. To this has been added a special sum of Rs. 10,00,000 in order to give commutation to many officers to whom it could not be granted during the last two years. We have not been able to provide sufficient funds for commutation for the last two years and we have 960 applications pending with us. The total value, according to these applications, is over Rs. 26,00,000 and with the sum now asked for we shall be able to give commutation to about half the number of applicants. It is a privilege which has been in existence for some time and officers value it highly. It is no longer a concession and is now looked upon almost as a matter of right. It serves a useful purpose; it adds to a pensioner's comfort and often enables him to buy a house, or liquidate debts which he might have incurred.

Another point made by one of the speakers is that it is expensive to Government, but from calculations made it appears that instead of being expensive it will be economical. We save money on the whole by allowing commutation of a portion of the pension, instead of paying the full amount for life. On these grounds I oppose this motion.

The motion of Srijut Nagendra Nath Sen was then put and a division taken with the following result:—

AYES.

Afzal, Maulvi Syed Muhammad.
Banerjea, Dr. Pramathanath.
Banerjee, Babu Promotha Nath.
Chatterjee, Srijut Bijay Kumar.
Dutt, Babu Saral Kumar.
Ghose, Babu Amarendra Nath.
Gupta, Mr. Jogesh Chandra.
Hoque, Kazi Emdadul.
Maiti, Babu Mahendra Nath.
Mukerjea, Srijut Taraknath.
Rahman, Maulvi Shamsur-
Rauf, Maulvi Syed Abdur.
Ray, Dr. Kumud Sankar.
Ray, Srijut Radha Gabinda.
Roy, Babu Manmatha Nath.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Sarker, Babu Naliniranjan.
Sen, Srijut Nagendra Nath.

NOES.

Ahmed, Khan Bahadur Maulvi Emaduddin.
Blair, Mr. J. R.
Casselis, Mr. A.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Clark, Mr. I. A.
Dash, Mr. A. J.
Drummond, Mr. J. G.
Ghose, Mr. M. C.
Gilchrist, Mr. R. N.
Ghosh Maulik, Mr. Satyendra Chandra.
Guha, Mr. P. N.
Garner, Mr. G. W.
Hogg, Mr. G. P.
Hopkyns, Mr. W. S.
Karim, Maulvi Abdul.
Laird, Mr. R. D.
Lamb, Mr. T.
Marr, the Hon'ble Mr. A.
Mitter, the Hon'ble Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. N.
Nandy, Maharaj Kumar Srie Chandra.
Philip, Mr. J. Y.
Rose, Mr. C. F.
Sarker, Rai Sahib Rebati Mohan.
Sattar, Mr. Abdeol Razak Hajee Abdeol.
Stapleton, Mr. H. E.
Tate, Major General Godfrey.
Thomas, Mr. N. W.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Twynam, Mr. H. J.
Wordsworth, Mr. W. C.

The Ayes being 19 and the Noes 32 the motion was lost.

The motion that a sum of Rs. 63,93,000 be granted for expenditure under the heads " 45.—Superannuation " and " 45A.—Commutation of pensions financed from ordinary revenue " was then put and agreed to.

Mr. PRESIDENT: I think it is unnecessary for us to move on to the next item. There is only 3 minutes left to 7 and so I think we should adjourn now.

Adjournment.

The Council was then adjourned till 3 p.m., on Wednesday, the 3rd April, 1929, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Town Hall, Calcutta, on Wednesday, the 3rd April, 1929, at 3 p.m.

Present:

The Hon'ble the President (the Hon'ble Raja MANMATHA NATH RAY CHAUDHURI, of Santosh), in the Chair, the four Hon'ble Members of the Executive Council, and 76 nominated and elected members.

Starred Questions

(to which oral answers were given).

Managing Committees of High English Schools.

*106. **Maulvi KASIRUDDIN AHAMAD:** Will the Hon'ble Member in charge of the Department of Education be pleased to lay on the table a statement showing—

(*i*) the present number of members in the managing committees of the (*a*) Government, and (*b*) aided high English schools in Bengal;

(*ii*) how many of the members are (*a*) Hindus; and (*b*) Muhammadans?

MEMBER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. A. Marr): A statement is laid on the table.

Statement referred to in the reply to starred question No. 106 showing the present number of members in the managing committees of high schools in Bengal.

Government high schools.

Hindus	...	133
Muhammadans	...	68
*Others	...	24
Total	..	225

Aided high schools.

Hindus	...	3,768
Muhammadans	...	1,004
*Others	...	217
Total	...	4,989

* Others are Christians, Buddhists, etc.

Dredgers.

***107. Babu NALINIRANJAN SARKER:** (*a*) Will the Hon'ble Member in charge of the Department of Irrigation be pleased to state—

(*i*) names of, and the project and nature of work intended to be done by, the dredgers for which loans amounting to Rs. 1,18,21,132 were taken;

(*ii*) details of the necessity for the immediate purchase of these dredgers, as also their prices, tenders, specifications, etc.;

(*iii*) why the purchase was made even though the scheme itself was not complete or finally sanctioned by the Legislature;

(*iv*) the officer responsible for the purchase of these dredgers and what his arguments were in favour of such purchase;

(*v*) how the payments made in this connection have been so far adjusted;

(*vi*) whether any part payments were made towards the capital and the interest so far paid;

(*vii*) if so, whether the disbursements were made out of the provincial revenues;

(*viii*) if not, from what source such payment has been made; and

(*ix*) whether such appropriations have been shown in the accounts?

(*b*) What was the reason for making adjustments having regard to the deficits as shown on page 34 of the report of the Accountant-General?

MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur, of Dhanbari): (*a*) (*i*) The *Ronaldshay* dredger was purchased for work on the Grand Trunk Canal and eventually for the normal upkeep of waterways and maintenance of the canal itself. The *Cowley* dredger was purchased for the general upkeep of the waterways, improvement of waterlogged areas and flood disposal and also to take the place of the *Foyers* dredger when she has become too old for further work. The *Burdwan* dredger was purchased for the silt clearance of boat canals and for the dredging of small rivers in connection with anti-malarial measures.

(*ii*) The *Cowley* dredger was purchased to deal at the outset with the position which had arisen in connection with the large flood in 1913 in the Damodar river to open out channels to lead the flood into the Rupnarain river. The *Ronaldshay* was purchased for the Grand

Trunk Canal and the *Burdwan* was required for silt clearance of canals because the old bucket and grab dredgers of the department had become worn out.

The purchase prices of these three vessels were as follows:—

		Rs.
Cowley	...	50,75,688
Ronaldshay	...	53,20,667
Burdwan	...	13,11,824

The tenders are not available here as they were received and disposed of by the Director-General of Stores, London, through whom the vessels were purchased. The specifications are laid on the Library table.

(*iii*) In regard to the *Ronaldshay* the purchase of this vessel was sanctioned by the Secretary of State prior to his sanction of the Grand Trunk Canal Scheme because it would have taken considerable time for the contractors to deliver the vessel in time to work on the canal. In the case of the *Burdwan* it was not necessary for any scheme to be completed since she was bought for the most part for maintenance work. In the case of the *Cowley* schemes for improving the Hoorhoora and Bakshi khals had already been sanctioned.

(*iv*) No individual officer was responsible for the purchase of these dredgers. Purchase was made by the Local Government after having obtained sanction from the Secretary of State.

(*v*) The payments on account of the purchase of these dredgers were made by the High Commissioner and the amount appeared in the accounts of the High Commissioner and were subsequently adjusted in the Indian Accounts under the head " 55.—Construction of Irrigation Works, etc." not charged to revenue agreeably to paragraph 419 of the Public Works Account Code.

(*vi*) The repayments towards the loan granted by the Government of India are being made in equal annual instalments. The principal and interest so far paid on these loans up to 1926-1927 are Rs. 21,22,929 and Rs. 27,43,349, respectively.

(*vii*) and (*viii*) The disbursements on account of interest were made from the ordinary provincial revenues and on account of principal from the accumulated Provincial balances.

(*ix*) Yes. Necessary provision appears in the budget estimates under the head " Repayment of advances from the Provincial Loan Fund " (Non-voted).

(*b*) The adjustments of interest charges is made on all capital expenditure agreeably to Article 323 (*b*) of the Accounts Code for the

purpose of showing the financial results of the Irrigation projects. The difference between the gross receipts and gross charges represents the net revenue or the deficit, as the case may be, in terms of Article 321 of the Account Code.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Member in charge of the Department of Irrigation be pleased to state if any sanction of this Council was taken prior to the purchase of the dredger *Ronaldshay*?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: I should like to have fresh notice, Sir. I have to enquire.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Member be pleased to state why the order for the purchase of this dredger was placed in advance, though the scheme was still under consideration?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: It was not in my time, Sir, and so I cannot give any answer off-hand.

Mr. JOGESH CHANDRA GUPTA: With reference to answer (*a*) (*iii*), will the Hon'ble Member be pleased to state if on any other occasion such heavy commitments have been made in anticipation of any scheme being sanctioned?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: I must ask for fresh notice, Sir.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Member be pleased to consider the desirability of disposing of this white elephant, namely, the dredger *Ronaldshay*, or returning it to the Government of India, so that the revenues of this province might be relieved?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: The whole question will be considered by the Technical Committee which Government propose to appoint.

Babu NALINIRANJAN SARKER: With reference to answer (*a*) (*v*), will the Hon'ble Member be pleased to state if it is a fact that at the time of the purchase of the dredger *Ronaldshay* Mr. Addams-Williams was in England?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: I must ask for fresh notice. I have to enquire.

Babu SURENDRA NATH BISWAS: Will the Hon'ble Member be pleased to state if it is a fact that the dredger *Ronaldshay* has been lying idle in the Madhumati river in the district of Faridpur for these three years?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: I must ask for fresh notice. I have to enquire (Laughter).

Babu SURENDRA NATH BISWAS: With reference to answer (*a*) (*i*), will the Hon'ble Member be pleased to state if he has been approached several times for the dredging of the Upper Kumar river?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: The question does not arise.

Babu SURENDRA NATH BISWAS: On a point of order, Sir. Is the Hon'ble Member in order in saying "The question does not arise"?

Mr. PRESIDENT: Technically the Hon'ble Member was wrong; but I take it lightly as indicative of his inability or unwillingness to answer the question (Laughter).

Chairman, Jessore District Board.

***108. Babu AMARENDRA NATH GHOSE:** (*a*) Will the Hon'ble Member in charge of the Department of Local Self-Government be pleased to state whether it is a fact that the present Chairman of the District Board of Jessore is not a resident of Jessore within the meaning of the term as defined in the Bengal Local Self-Government Act of 1885?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state what steps have the Government taken or propose to take in the matter?

MEMBER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (the Hon'ble Sir Provash Chunder Mitter): (*a*) The matter is being enquired into.

(*b*) Does not arise.

Maulvi SYED ABDUR RAUF: Will the Hon'ble Member in charge of the Department of Local Self-Government be pleased to state how many Chairmen of District Boards are there in the province who do not actually reside at the headquarters of their districts?

The Hon'ble Sir PROVASH CHUNDER MITTER: I do not carry in my head the names and addresses of all the 25 Chairmen of district boards.

Maulvi SYED ABDUR RAUF: Will the Hon'ble Member be pleased to state whether those members are residents of the district within the meaning of the term as defined in the———

Mr. PRESIDENT: What members do you mean?

Maulvi SYED ABDUR RAUF: Those who actually do not reside———

Mr. PRESIDENT: The question does not arise.

Short-notice question.

Babu JITENDRALAL BANNERJEE: Sir, may I have your permission to ask some short-notice questions of the Hon'ble Member in charge of the Department of Finance? I may add that I have acquainted him with the nature of these questions.

Mr. PRESIDENT: Are these questions the same short-notice questions, which you showed to me, and which I admitted after the Hon'ble Mr. Marr had given his consent?

Babu JITENDRALAL BANNERJEE: Yes, Sir.

*109. **Babu JITENDRALAL BANNERJEE:** (*a*) X and Y are two ministerial officers on the same grade of pay in the same office. X is senior to Y according to the length of service under Government. X is not allowed to cross the efficiency bar under the orders of the Head of the Department, but Y in the meantime is allowed to cross the efficiency bar in consequence of which Y draws higher rate of pay in the same grade. Whether Y will now be senior to X in the light of the reply given by the Hon'ble Member in August, 1927, to starred question No. 9?

MEMBER in charge of DEPARTMENT of FINANCE (the Hon'ble Mr. A. Marr): Yes, as long as X does not cross the efficiency bar. If and when X does cross the bar, it is a matter for the head of the office to decide the seniority of the two.

Babu JITENDRALAL BANNERJEE: (*b*) (*i*) Y is an officer of another department on a certain grade. X is an officer of a department detained at the efficiency bar. On joining the department of X, Y is in receipt of pay much higher than X detained at the efficiency bar with the result that the question of crossing the efficiency bar does not formally arise in the case of Y. Whether Y will be senior to X?

The Hon'ble Mr. A. MARR: (*b*) (*i*) Yes, ordinarily, subject to any orders which the head of the office may pass if and when X crosses the efficiency bar.

Babu JITENDRALAL BANNERJEE: (*b*) (*ii*) Y joins the department of X on transfer and draws the same rate of pay as drawn by X in the same grade. X is detained at the efficiency bar but Y is formally allowed to cross the efficiency bar. Y is junior to X in the length of service under Government. Whether X is senior to Y.

The Hon'ble Mr. A. MARR: (*b*) (*ii*) No. The reply to (*a*) holds good in this case also.

Babu JITENDRALAL BANNERJEE: (*b*) (*iii*) X is a typist in a department confirmed in the grade, is given a clerical appointment and under certain circumstances is allowed to draw a rate of pay far above the scale at the efficiency bar. His service in the typist's post was not formally confirmed. Whether his seniority will be determined according to the length of service from his date of appointment in the clerical grade or from the date of appointment as a typist?

The Hon'ble Mr. A. MARR: (*b*) (*iii*) Ordinarily from the date of his appointment in the clerical grade.

Mr. JOGESH CHANDRA GUPTA: On a point of information, Sir. Is it permissible to put non-problematical questions which it is difficult to follow, by a sort of previous arrangement with the Hon'ble Member?

Babu JITENDRALAL BANNERJEE: On a point of order, Sir. Is the hon'ble member justified in raising this point of order when the President has allowed this question and a Member of Government has answered it?

Mr. PRESIDENT: Order, order, we move on to unstarred questions.

Unstarred Questions

(answers to which were laid on the table).

Subdivisional Officer, Kushtia.

77. Mr. RANJIT PAL CHOUDHURI: (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to state whether there has been considerable increase of communal troubles in the subdivision of Kushtia, and that actual outbreaks had taken place in the villages of Sanota, Radhagram, Kaya, Goalgram, Khoksha and Paharpur during the time of the present Subdivisional Officer?

(*b*) Is it a fact that the present Subdivisional Officer of Kushtia is the President of the Mosque Committee?

(*c*) If the answer to (*b*) is in the negative, will the Hon'ble Member be pleased to state when he resigned and what led to his resignation?

(*d*) Is it a fact that he resigned the presidentship of the Mosque Committee after the Muhammadans of Kushtia had publicly killed a cow and made a public demonstration of the same?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. A. N. Moberly): (*a*) The present Subdivisional Officer of Kushtia was posted there in November, 1926. In the early part of 1927 some incidents occurred which indicated the existence of communal tension in the subdivision, but the situation has improved recently. Of the villages mentioned, only Radhagram was the scene of any disturbance reported to Government.

(*b*) No.

(*c*) and (*d*) He resigned as soon as he knew of a cow-killing incident in February, 1927.

Mr. RANJIT PAL CHOUDHURI: Will the Hon'ble Member in charge of the Political Department be pleased to state whether it is a fact that the Subdivisional Officer of Kushtia tried to convert a Christian girl———

Mr. PRESIDENT: If I remember aright, I disallowed this question. So the member should not have put it.

Subdivisional Officer, Kushtia.

78. Mr. RANJIT PAL CHOUDHURI: Will the Hon'ble Member in charge of the Political Department be pleased to state whether

it is a fact that the present Subdivisional Officer of Kushtia took any steps over the affair of processions passing by the mosque with music during the last Saraswati Puja?

The Hon'ble Mr. A. N. MOBERLY: Yes, he advised the police officer authorised to issue licences on the subject.

Apprehended communal trouble at Kushtia.

78. Mr. RANJIT PAL CHOUDHURI: (*a*) Is the Hon'ble Member in charge of the Political Department aware that on Sunday, the 17th February last, a notice was served on the people of Kushtia, by beat of drum, that no meeting or procession of any kind in connection with the last Saraswati Puja would be held without the sanction of the District Magistrate?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state—

(*i*) who was responsible for the notice; and

(*ii*) the occasion which led to the issue of the notice?

(*c*) Is it a fact that the said notice was written in pencil on a torn piece of paper without any signature or seal of the authorities and without any date also?

(*d*) Is it a fact that in the month of May, 1927, the Kushtia Circle Inspector inquired about the communal trouble at Chithalia and submitted a report to the Subdivisional Officer in order to bind down some 19 Muhammadans under section 107, Criminal Procedure Code, and section 144, Criminal Procedure Code?

(*e*) Is it a fact that the Subdivisional Officer took no notice of it?

The Hon'ble Mr. A. N. MOBERLY: (*a*) An order under the Police Act, prohibiting processions and assemblies in connection with the Saraswati Puja without licence was published by beat of drum in Kushtia, on 17th February, 1929. The licence was to be obtained from the police and not from the District Magistrate.

(*b*) (*i*) The District Magistrate on information received from the Superintendent of Police.

(*ii*) The District and Sessions Judge had refused permission for Government buildings and property, *viz.*, the Civil Court compound to be used for the Saraswati Puja. As there was some feeling, it was considered desirable that the authorities should receive timely notice of any intended meeting or procession.

(*c*) The notice was written in ink. It was duly signed by the District Magistrate. It still shows no sign of ever having been torn.

(d) and *(e)* In May, 1927, the Circle Inspector of Police submitted a report suggesting that action under sections 107 and 140, Criminal Procedure Code, might be taken against some Muhammadans who threatened to kill cows in the mosque at Chithalia on the occasion of the Bakr-Id. The Subdivisional Officer then went with the Circle Inspector to the locality and met both parties. The Muhammadans undertook not to kill cows in the mosque or anywhere, except at the site selected by the Subdivisional Officer in the presence of both parties. This was done, and the Bakr-Id passed off quietly.

Mr. RANJIT PAL CHOUDHURI: With reference to answer (*c*), will the Hon'ble Member in charge of the Political Department be pleased to state whether the notice was an after thought and a supplementary one?

The Hon'ble Mr. A. N. MOBERLY: I do not understand the question, Sir.

Mr. RANJIT PAL CHOUDHURI: Will the Hon'ble Member be pleased to state if the notice referred to in answer (*c*) is a "subsequent notice"?

Mr. PRESIDENT: Subsequent to what? I do not understand the question?

Mr. RANJIT PAL CHOUDHURI: It is stated in answer (*c*) that the notice was duly signed by the District Magistrate. I want to know whether this particular notice was a "subsequent notice" or not?

(No reply.)

Khan Bahadur Maulvi AZIZUL HAQUE: Is the Hon'ble Member aware that the gentleman who has just put the question is a member of the Swaraj party, who has never visited this area with the object of settling the Hindu-Muhammadan troubles there?

Mr. PRESIDENT: I do not allow that extraordinary question. (Laughter.)

Dredgers "Burdwan," "Cowley" and "Ronaldshay."

89. Babu NALINIRANJAN SARKER: Will the Hon'ble Member in charge of the Department of Irrigation be pleased to state in a comparative tabular form—

(*a*) the cost of purchase, working, upkeep and repairs as also the amounts written off for depreciation of the dredgers *Burdwan*, *Ronaldshay* and *Cowley* since the date of their

purchase till the end of the year 1927-28 shown separately for each year and classified according to such heads of expenditure as charges for establishment, repairs, interest on loans, and all other overhead and incidental charges;

(*b*) the total number of working days for each of these dredgers for each year since their purchase to the end of 1927-28; and

(*c*) the cost per 1,000 c. feet dredged in each year, and the total quantity dredged in each such year?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, of Dhanbari: Statements are laid on the table.

Statements referred to in the reply to unstarred question No. 80.

STATEMENT 1.

Cost of purchase of the dredgers.

	"Burdwan."	"Cowley."	"Ronaldshay."
	Rs.	Rs.	Rs.
Cost	13,11,824	50,75,688	53,20,667
Overhead charges ..	4,73,635		2,36,008

STATEMENT 2.

Cost of working.

"Burdwan."

Period.	Establishment employed on the vessels.	Other charges.	Total.
	Rs.	Rs.	Rs.
1923 (from 6th February to 31st December).	13,910	20,041	33,951
1924	..	..	..
1925	..	..	..
1926	14,492	32,704	47,196
1927	..	..	..

"Cowley."

Period.	Establishment employed on the vessels.	Other charges.	Total.
	Rs.	Rs.	Rs.
1923 (from 5th July to 31st December).	4,441	10,613	15,054
1924	40,734	1,33,247	1,73,981
1925	47,683	1,66,714	2,14,397
1926	..	..	..
1927	8,688	27,810	36,498

"Ronaldshay."

1923	17,499	72,876	90,375
1924	..	..	..
1925	..	..	..
1926	..	..	..
1927	..	..	..

NOTE.—Overhead, establishment and other charges are not shown in the accounts against specific vessels, but against the works on which the dredgers are employed.

STATEMENT 3.

Cost of upkeep when laid up.

	"Burdwan"	"Cowley."	"Ronaldshay."
	Rs.	Rs.	Rs.
1923	3,552	16,120	28,395
1924	2,331	11,778	8,027
1925	2,781	8,075	7,039
1926	6,684	13,115	9,186
1927	7,889	13,076	18,199

Cost of repairs.

Year.	"Burdwan."	"Cowley."	"Ronaldshay."
	Rs.	Rs.	Rs.
1922-23	..	..	..
1923-24	12,183	19,450	33,625
1924-25	4,564	37,726	12,935
1925-26	16,215	43,338	6,364
1926-27	13,735	18,645	20,847
1927-28	12,233	38,345	57,269

STATEMENT 4.

Amounts written off for depreciation.

Year.	"Ronaldshay."	"Burdwan."	"Cowley."
	Rs.	Rs.	Rs.
1922-23	82,800	3,520	Nil
1923-24	78,300	42,680	1,02,360
1924-25	Nil	Nil	2,29,457
1925-26	Nil	9,240	1,85,954
1926-27	Nil	42,480	Nil
1927-28	Nil	Nil	1,18,567

STATEMENT 5.

Interest on loans for the purchase of the dredgers "Ronaldshay," "Cowley" and "Burdwan."

Year.	Interest paid.
	Rs.
1922-23	3,25,000
1923-24 .. .	6,48,845
1924-25	6,20,584
1925-26 .. .	5,90,486
1926-27	5,58,432
1927-28	4,57,396

STATEMENT 6.

Total number of working days for each of the dredgers for each year since their purchase.

	1923.	1924.	1925.	1926.	1927.
"Ronaldshay" ..	36	Nil	Nil	Nil	Nil
"Cowley"	10	109	139	Nil	19
"Burdwan"	80	Nil	Nil	163	Nil

The cost of 1,000 c. ft. dredged in each year.

	Rs.	Rs.	Rs.	Rs.	Rs.
"Ronaldshay" ..	5·94	..	..	..	..
"Cowley"	2·80	3·09	6·25	..	3·42
"Burdwan"	15·91	..	..	5·35	..

Total quantity dredged in each year.

	C. ft.	C. ft.	C. ft.	C. ft.	C. ft.
"Ronaldshay"	15,209,621	Nil	Nil	Nil	Nil
"Cowley" ..	5,376,762	56,322,307	34,311,466	Nil	10,668,927
"Burdwan" ..	2,133,905	Nil	Nil	8,819,033	Nil

Demands for Grants.

46.—Stationery and Printing.

The Hon'ble Mr. A. MARR: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 24,21,000 be granted for expenditure under the head "46.—Stationery and Printing."

Srijut TARAKNATH MUKERJEA: I beg to move that the demand of Rs. 11,01,000 under the head "46A.—Stationery and Printing—Government Presses" be reduced by Re. 1 (to discuss the remuneration of the poor press workers).

Sir, my object in bringing forward this motion for reduction is to discuss the remuneration of the poor press workers and by the way to show how Government have been flouting the opinion of this House repeatedly and deliberately. It may be in the recollection of the House that on 10th February, 1928, a resolution was carried in this House, asking Government to put the lino-operators in the Bengal Government Press on a salaried basis but we learn from the reply of Hon'ble Mr. Marr on 18th August, 1928, that the Government could not or would not see their way to give effect to that resolution. I confess, Sir, I cannot really make out the reason why, specially when we see that in the Government of India Press these very people are on a salaried basis. On 18th August, 1928, was passed by an overwhelming majority a resolution requesting the Government to set up a committee to inquire into the working of the different presses under the Government of Bengal. No effect has been given to that as yet. Again on 9th February last this House passed a resolution urging Government to give immediate effect to the two resolutions mentioned above. We are yet to learn the fate of that resolution too. Perhaps the Hon'ble Member would say that Government could not see their way to give effect to those resolutions. But the persistent question that comes is "Why?" "Why?" may we not ask Government the reason why they are not prepared to show even this bit of deference to the considered desire of the House as to give out the reasons of their inability.

Now coming to the question of the remuneration of the poor workers of the Press, I shall in the first instance refer to the reply of the Government to the question of my friend Dr. Kumud Sankar Ray in December, 1927. We gather from that reply that the piece-workers are being systematically starved.

Sir, in August, 1928, the Hon'ble Mr. Marr said that he would be glad to enquire into any matter of partiality, unfair dealings, misbehaviour, etc. I have, Sir, in my possession ample proof to show that these vices run rampant in the Bengal Government Press. Take the case of the Binders—all Muhammadans. I am informed that the life of these poor employees has been made simply unbearable by oppressions and unnecessary harassments of the Binding Foreman. These poor Muhammadan binders made numerous representations to the office master but in vain. Then there are the transfers of the employees to the presses of the Police Commissioner and the Private Secretary. Here also favouritism plays no inconspicuous part. For the information of the Hon'ble Member I may mention the case of one who is the son of a Roll-keeper. Will the Hon'ble Member kindly enquire if it is not a fact that this gentleman has been promoted over the heads of senior and experienced men simply by virtue of his being the son of a Roll-keeper?

In August, 1928, again the Hon'ble Mr. Marr said that the 6th recommendation of the Piece Enquiry Committee of 1925 (namely, that the older hands should, if they desire it, be put on to lighter work) has been given effect to. But I am reliably informed that, whatever may be the case in theory, in practice only those who can bribe and flatter their superior officers have got chance of availing this recommendation.

One word about the settlement presses and I have finished. In August, 1928, the Hon'ble Mr. Marr said that the settlement presses have no grievances whatsoever and that the employees there are allowed Sunday and all gazetted holidays.

The Hon'ble Mr. A. MARR: On a point of order. All that I could hear of the hon'ble mover's speech is "settlement presses." If that is so, I beg to submit that it does not come under this head at all.

Mr. PRESIDENT: Mr. Mukerjea, will you take this hint from the Hon'ble Member?

Srijut TARAKNATH MUKERJEA: I was not able to hear the Hon'ble Member.

Mr. PRESIDENT: Now it is your turn Mr. Marr to speak out.

Srijut TARAKNATH MUKERJEA: I would like to ask the Hon'ble Member to explain to this House why there was a strike in the Jessore Settlement Press in 1927?

The Hon'ble Mr. A. MARR: I beg to rise again on a point of order. "Settlement presses" does not come under this head.

Mr. PRESIDENT: Mr. Mukerjea, it is always difficult for a member to curtail his speech when he has prepared a set speech but seeing that the Hon'ble Member has taken exception to your referring to "settlement presses" I think you should omit that portion from your speech.

Srijut TARAKNATH MUKERJEA: I will not speak further. In conclusion I appeal on behalf of the poor press workers to all members of the House to support this motion.

The Hon'ble Mr. A. MARR: As I said before all that I could hear of the mover's speech was in connection with the settlement presses but that subject does not come under this head at all, it comes under "5.—Land Revenue."

As regards the reason given on paper by the mover of this motion —to discuss the remuneration of the poor press workers—I have already explained this year in this Council that this matter was gone into very thoroughly indeed by a committee of this House which enquired into all the grievances of the press workers in the presses at Alipore. They finally made 11 recommendations and out of these recommendations Government accepted 10 and it appears to me that this is quite a sufficient answer to any question about the remuneration of the press workers. Mr. Travers was on that committee and if he had been present here to-day he would have explained to the House his views as he did on the last occasion. I oppose the motion.

The motion of Srijut Taraknath Mukerjea was then put and a division taken with the following result:—

AYES.

Ahamad, Maulvi Kasiruddin.
Atiqullah, Mr. Syed Md.
Bagchi, Babu Romes Chandra.
Banerjea, Dr. Pramathanath.
Banerjee, Babu Promotha Nath.
Bannerjee, Babu Jitendralal.
Basu, Babu Sasi Sekhar.
Biswas, Babu Surendra Nath.
Chatterjee, Srijut Bijay Kumar.
Chaudhuri, Maulvi Nurul Huq.
Ganguly, Babu Khagendra Nath.
Ghose, Babu Amarendra Nath.
Ghosh Maulik, Mr. Satyendra Chandra.
Gupta, Mr. Jogesh Chandra.
Hoque, Kazi Emdadul.
Huq, Khan Bahadur Maulvi Ekramul.
Husain, Khan Bahadur Maulvi Syed Maqbul.
Karim, Maulvi Abdul.
Khan, Khan Sahib Maulvi Muazzam Ali.
Maiti, Babu Mahendra Nath.
Maitra, Srijut Jogendra Nath.
Mukerjea, Srijut Taraknath.
Nandy, Maharaj Kumar Srie Chandra.

Naskar, Babu Hem Chandra.
Pal Choudhuri, Mr. Ranjit.
Rahaman, Maulvi Shamsur-
Rahaman, Mr. A. F. M. Abdur-
Rauf, Maulvi Syed Abdur.
Ray, Babu Surendra Nath.
Ray, Dr. Kumud Sankar.
Ray, Srijut Radha Gobinda.
Ray Chaudhuri, Mr. K. C.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Sarker, Babu Naliniranjan.
Sattar, Mr. Abdool Razak Hajee Abdool-
Sen, Mr. Satish Chandra.
Sen, Srijut Nagendra Nath.

NOES.

Blair, Mr. J. R.
Casselis, Mr. A.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Clark, Mr. I. A.
Cohen, Mr. D. J.
Dash, Mr. A. J.
Drummand, Mr. J. C.
Ghose, Mr. M. C.
Gilchrist, Mr. R. N.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Hogg, Mr. G. P.
Hopkyns, Mr. W. S.
Laird, Mr. R. B.
Lamb, Mr. T.
Marr, the Hon'ble Mr. A.
Mitter, the Hon'ble Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. N.
Mukerji, Mr. S. C.
Phillip, Mr. J. Y.
Rose, Mr. C. F.
Roy, Mr. Bijoy Prasad Singh.
Sarker, Rai Sahib Rebati Mohan.
Stapleton, Mr. H. E.
Tate, Major General Godfrey.
Twynam, Mr. H. J.
Wordsworth, Mr. W. C.

The Ayes being 39 and the Noes 27 the following motion was carried:—

"That the demand of Rs. 11,01,000 under the head '46A.—Stationery and Printing—Government Presses' be reduced by Re. 1 (to discuss the remuneration of the poor press workers)."

5-30 p.m.

Mr. PRESIDENT: I should like to have one discussion on motions Nos. 773 and 774; 775 does not arise because it is not complete, the intending mover not having given any reason for putting forward that motion.

The following motion was called but not moved:—

Babu BEJOY KRISHNA BOSE: "That the demand of Rs. 24,21,000 under the head '46.—Stationery and Printing' be reduced by Rs. 4,00,000."

Srijut BIJAY KUMAR CHATTERJEE: I beg to move that the demand of Rs. 24,21,000 under the head "46.—Stationery and Printing" be reduced by Re. 1 (on the ground that Government do not encourage indigenous industries, but purchase the major portion of the stores from foreign countries).

Sir, I beg to suggest that the Government is not encouraging indigenous industries by purchasing stores as far as practicable of Indian manufacture. I want an assurance from the Hon'ble Member-in-charge that he would try his best to encourage indigenous industries by purchasing stores locally.

The Hon'ble Mr. A. MARR: Sir, we are doing our level best to purchase as much of our stores as we can in India of Indian manufacture. I have got the figures here. The only stores purchased outside India are articles such as thread for the sewing machines, glue, bookbinders' needles which cannot be obtained in Calcutta equal in quality to those purchased abroad. Of course spare parts for machinery are not a product of Indian industry and these must be obtained from the manufacturers, although we do get a fair proportion from local agents. Stores to the value of Rs. 16,967 were purchased locally during the past year and these are divided as follows:—

	Rs.
British manufactured stores	... 6,578
Foreign manufactured stores	... 1,795
Local manufactured stores	... 8,594

Stores to the value of £228-12-6, equal to Rs. 3,048, were indented for from Home as these were not procurable locally.

I might add that as far as possible I always endeavour to get articles of local manufacture for the use of the Government Presses.

The motion of Srijut Bijay Kumar Chatterjee was put and lost.

Mr. PRESIDENT: The maximum limit will be reached within 10 minutes and I may tell the House that the motion is still under discussion.

As no one rose to speak the motion that a sum of Rs. 24,21,000, as amended by the Council, be granted for expenditure under the head "46.—Stationery and Printing" was then put and agreed to.

47.—Miscellaneous.

The Hon'ble Mr. A. MARR: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 3,43,000 be granted for expenditure under the head "47.—Miscellaneous."

The following motion was called but not moved:—

Srijut TARAKNATH MUKERJEA: "That the demand of Rs. 4,000 under the head '47.—Miscellaneous—Durbar presents' be refused."

Mr. PRESIDENT: We can have one discussion on Nos. 778 and 779.

The following motion was called but not moved:—

Babu NALINIRANJAN SARKER: "That the demand of Rs. 9,000 under the head '47B.—Charges on account of European vagrants, etc.' be refused."

Dr. KUMUD SANKAR RAY: I move that the demand of Rs. 9,000 under the head "47B—Miscellaneous—Charges on account of European vagrants, etc.' be reduced by Re. 1 (to criticise the policy of Government towards the vagrancy problem).

Sir, in moving this motion, I would like to point out at the outset that it is not my intention to refuse help to poor unfortunate people who are forced into vagrancy simply because they belong to a particular community. Sir, that is not my intention. My intention is to criticise the vagrancy policy which the Government have so far followed in regard to the Indian beggars. I have been told that the grant under this item arises out of a statutory obligation in the European Vagrancy Act. I would like to refer to the definition of "European" as given in the Act. The term includes practically every body on the face of the earth excepting Indians and Eurasians. It includes persons born in Europe, America, the West Indies, Australia, Tasmania, New Zealand—in fact everywhere except India, so that it includes the Negroes, Germans, Italians and even Hottentots, but it does not include persons who are born in India. It is they who are excluded. Under this Act three things are enumerated. The first is that when a person is found to be a vagrant, he will be produced before a Magistrate and meanwhile he will be provided for by the State and it will be the duty of the Magistrate to find employment for him. After the lapse of sufficient time if no appointment is found for him, he will be sent to the workhouse. This Act also ensures that the Workhouse must be established. This is the proper course which ought to be followed with regard to the solution of the vagrancy problem. But what I want to say is this: that when an Indian vagrant—who resorts to begging in the street, in market places and numerous other places—nothing is done for him whatsoever. Members of the House may well recollect the able and eloquent speech which was delivered the other day by Mr. Campbell Forrester in this very House when he depicted in pathetic terms the misery of these unfortunate beggars and the agony in which they die in the streets of Calcutta. Even if I try to depict such a picture, I would not be able to command his eloquence nor the language in which he pictured their miseries and agonies. Sometime ago in 1918 owing to a popular clamour Government appointed a Vagrancy Committee to investigate this matter. This Committee came to certain conclusions. The conclusions were that the Government should have passed a Vagrancy Act and should have started a workhouse and

hospitals for the disabled and diseased beggars. The Committee also made certain recommendations in regard to finances and it also stated that as Calcutta would be benefited to a very large extent some portion of the expenditure should be borne by the Calcutta Corporation. But, Sir, no effect was given to these recommendations for a long time. The Calcutta Corporation recently have agreed to do their portion and they have helped a non-official institution to make a humble beginning with regard to the solution of this problem at least so far as the diseased and disabled beggars are concerned. A beginning has been made but the Government would not come forward to help it as it ought to have done and as has been done in other provinces; for instance, in Bombay and in Ceylon where there have not only been a Vagrancy Act passed but where Governments have undertaken to maintain entirely at their own cost institutions and a workhouse for vagrants and hospitals for diseased beggars. Those of us who have some experience of hospitals in Calcutta know that the existing and available beds are largely kept occupied by beggars and when the time of discharge comes hospital authorities do not know how to discharge them without turning them out into the streets. As a result numerous complaints are received from the Ambulance authorities. Captain Westbrook submitted a report to the Corporation saying that not less than 600 cases were taken from one hospital to another all of which refused admission to these cases. This question was brought to the notice of Government in a resolution moved by Mr. Campbell Forrester and which was supported by Mr. Saheed Suhrawardy and in response the Government assured us that they would give this matter their favourable consideration. I do not know whether Government was forced to give this assurance reluctantly or gave it of their own accord. But at the same time Government did not realise difficulties of this question. The assurance was this that a non-official institution will get a certain grant provided the institution was able to secure a lakh and a half from sources other than Government and the Corporation. I do not understand why the Corporation was dragged into it.

3-45 p.m

I submit, Sir, the Councillors of the Calcutta Corporation are quite able to look after their own interests. They are quite able to decide as to what charitable institutions they will help. This is a problem affecting vitally the city of Calcutta and if any non-official institution try to solve it even in a small degree, I do not see why Government should stand in its way and say that the Corporation should withhold its helping hand from the institution. That, I submit, Sir, is a serious reflection on the abilities of the Councillors of the Calcutta Corporation. I was told by a very influential member of this House, who, I may say, is also a well wisher of this institution, that if any

discussion is raised on this matter, it may be difficult for the institution to obtain the assured sum which Government wants to pay. I submit there is no one in this House who can conceive that such a thing is possible. If that is the case, then no honest discussion of the policy of Government is possible. I can assure the hon'ble member, who gave that advice, that the Hon'ble Mr. Marr, who had himself visited the institution, and was so pleased with the achievements that he said that there would be no difficulty for the institution to get the grant. With these words I wish to bring to the notice of this House that no further time should be lost in getting ready a Vagrancy Act, and making provision therein for a workhouse, hospital for diseased and disabled beggars and other matters which are intimately connected with the beggar problem.

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, this well-meant but ill-conceived motion is really based on a number of misapprehensions. The European Vagrancy Act is a Government of India Act, passed so far back as 1874, and is based on an Act of 1869 and Acts even older than that. The object of this Act was to stop vagrancy of persons not of Indian domicile, not by spoon-feeding, because one of the provisions of the Act was that a vagrant would be paid only eight annas a day. Another provision is that he will be detained in a house of detention where he will be made to work and will get jail diet. If he attempts to leave the house of detention, he may be punished up to two years' imprisonment. However, I will not enter into all that beyond saying that it is a misapprehension altogether to confuse the question of non-Indian vagrancy with Indian vagrancy. There are only a limited few of non-Indian vagrants and the total grant is Rs. 9,000. It is not right to say that Government has not been alive to the importance of this question, and there is no racial question, because Britishers and Indians are equally keen, and Government also is equally keen, in solving this problem. But the town of Calcutta attracts a very large number of beggars. Begging in the town of Calcutta is perhaps a more lucrative profession than the vocation of a daily labourer. When the committee enquired into the matter they found that there were more than 10,000 able-bodied beggars who were begging in Calcutta.

Dr. KUMUD SANKAR RAY: Why not provide a workhouse for them?

The Hon'ble Sir PROVASH CHUNDER MITTER: If you are to provide a workhouse for them, you will have to legislate. If we want to legislate, other questions will have to be considered. There is the question of Hindu religious mendicants and the Muhammadan religious mendicants. Of course, that is no reason why we should not

try to stop mendicancy, but it must be admitted that the question of dealing with religious mendicancy is a delicate problem. Then, Sir, to provide for 10,000 able-bodied beggars is a large question. We admire the attempt which is being made by Dr. Ray's institution to solve a small fraction of this problem and our admiration is crystallised by the fact that Government has agreed to grant Rs. 4,00,000 to this institution. That will not solve even 1/50th of the problem. The total expenditure is estimated by the committee at Rs. 21,24,500 capital expenditure and Rs. 1,55,220 recurring expenditure, but on closer investigation it appears that this amount will not be enough. When it is a question of 10,000 able-bodied beggars and over 2,000 infirm beggars and others who are incurables and who have to be kept without any work, the question becomes very difficult indeed. The financial difficulties of the Government of Bengal during the last eight years are well known to everybody. Although this is a pressing problem, there are various other pressing problems on our hands. I can assure the House, if an assurance were needed after the grant of Rs. 4,00,000, that we are as keen as Dr. Ray and other members of the House in solving this vagrancy problem. It is no use merely passing an Act and it is no use saying that these men should be detained. You will have to provide accommodation for them, you will have to provide officers of a suitable type—not of the jailor type but of other type—to look after them. It might be possible in the case of a small institution like the European Vagrancy Workhouse, but here it is a much bigger problem. Of course, we do not say that the question should not be tackled. Therefore it is no good making a comparison by saying that Government is not doing anything for Indian vagrants and at the same time saying that no racial question is involved.

Dr. KUMUD SANKAR RAY: On a personal explanation, Sir, I never made any comparison.

The Hon'ble Sir PROVASH CHUNDER MITTER: Now, this cut of Re. 1 in connection with European vagrancy does not tally with Dr. Ray's own assurance that he does not intend that the European vagrants should not have their chance by working in a workhouse. Then, what did he mean? If you want to make a cut, you could have made a cut in the Public Health budget or the Local Self-Government budget.

As regards European vagrants, the position is this that all non-Indians, if they have no means of livelihood, are made to work in the workhouse. We have nothing to do with the Act. It was passed by the Government of India more than 50 years ago: we have simply to administer the Act.

Now, as regards the criticism that the grant of Rs. 4,00,000 is conditional upon Rs. 1½ lakhs being raised by the public and the Calcutta Corporation grant being not taken into account, I believe Dr. Ray and the other members of this House ought to know that the usual method of making a grant is that the public must raise 2/3rds of the amount required and Government pays 1/3rd. In this case we have gone much further. I hope after this assurance Dr. Ray will not press his motion.

The motion of Dr. Kumud Sankar Ray was then put and a division taken with the following result:—

AYES.

Afzal, Maulvi Syed Muhammad.
Atiquilah, Mr. Syed Md.
Bagchi, Babu Romes Chandra.
Banerjea, Dr. Pramathanath.
Banerjee, Babu Prometha Nath.
Basu, Babu Sasi Sekhar.
Biswas, Babu Surendra Nath.
Chatterjee, Srijut Bijay Kumar.
Dutt, Babu Saral Kumar.
Ganguly, Babu Khagendra Nath.
Ghose, Babu Amarendra Nath.
Ghosh Maulik, Mr. Satyendra Chandra.
Gupta, Mr. Jogesh Chandra.
Hoque, Kazi Emdadul.
Husain, Khan Bahadur Maulvi Syed Maqbul.
Karim, Maulvi Abdul.
Maiti, Babu Mahendra Nath.
Maitra, Srijut Jogendra Nath.
Mukerjea, Srijut Taraknath.
Nasker, Babu Nem Chandra.
Pal Choudhuri, Mr. Ranjit.
Poddar, Mr. Ananda Mohan.
Rahman, Maulvi Shamsur-
Rahman, Mr. A. F. M. Abdur-.
Rauf, Maulvi Syed Abdur.
Ray, Babu Surendra Nath.
Ray, Dr. Kumud Sankar.
Ray, Srijut Radha Gobinda.
Roy, Dr. Bidhan Chandra.
Roy, Mr. D. N.
Roy, Mr. Kiran Sankar.
Sarker, Babu Naliniranjan.
Sattar, Mr. Abdool Razak Hajee Abdoor.
Sen, Mr. Satish Chandra.
Sen, Srijut Nagendra Nath.

NOES.

Ahamad, Maulvi Kasiruddin.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Blair, Mr. J. R.
Casselis, Mr. A.
Chaudhuri, Khan Bahadur Maulvi Hafizar Rahman.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.
Clark, Mr. I. A.
Cohen, Mr. D. J.
Bash, Mr. A. J.
Drummond, Mr. J. C.
Ghose, Mr. M. C.
Gilchrist, Mr. R. N.
Garner, Mr. C. W.
Hugg, Mr. S. P.
Hopkyns, Mr. W. S.
Khan, Mr. Razaur Rahman.
Laird, Mr. R. B.
Lamb, Mr. T.
Marr, the Hon'ble Mr. A.
Mitter, the Hon'ble Sir Provash Chunder.
Moberly, the Hon'ble Mr. A. N.
Mukerji, Mr. S. C.
Nandy, Maharaj Kumar Sris Chandra.
Philip, Mr. J. Y.
Ray Chaudhuri, Mr. K. C.
Rose, Mr. C. P.
Roy, Mr. Bijoy Prasad Singh.
Sarker, Rai Sahib Rebati Mohan.
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur.
Stapleton, Mr. H. E.
Tate, Major General Godfrey.
Thompson, Mr. W. H.
Twynam, Mr. H. J.
Wordsworth, Mr. W. C.

The Ayes being 35 and the Noes 34 the following motion was carried:—

"That the demand of Rs. 9,000 under the head '47B.—Miscellaneous—Charges on account of European vagrants, etc.' be reduced by Re. 1 (to criticise the policy of Government towards the vagrancy problem)."

The time-limit under the head "47.—Miscellaneous" having reached the following motion was not put:—

Babu NALINIRANJAN SARKER: "That the demand of Rs. 7,000 under the head '47D.—Miscellaneous—Special commissions of enquiry' be refused."

The motion that a sum of Rs. 3,43,000, as amended by the Council, be granted for expenditure under the head "47.—Miscellaneous" was then put and agreed to.

4 p.m.

Expenditure in England.

The Hon'ble Mr. A. MARR: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 6,22,000 be granted for expenditure under the head "Expenditure in England." The details of this demand have been explained on pages 96 and 97 of the Red Book.

The motion was put and agreed to.

Loans and Advances.

The Hon'ble Mr. A. MARR: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 11,20,000 be granted for expenditure under the head "Loans and advances."

The following motions were called but not moved:—

Mr. JOGESH CHANDRA GUPTA: "That the demand of Rs. 11,20,000 under the head 'Loans by Local Government' be reduced by Rs. 101."

Maulvi SHAMSUR-RAHMAN: "That the demand of Rs. 11,20,000 under the head 'Loans by Local Government' be reduced by Rs. 100 (for not providing money for the Khulna District Board Water-supply scheme)."

Mr. PRESIDENT: The main demand is still open to general discussion.

(There was no discussion).

The motion of the Hon'ble Mr. A. Marr was put and agreed to.

20.—Interest on other obligations.

The Hon'ble Mr. A. MARR: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 4,500 be granted for expenditure under the head "20. Interest on other obligations" in 1929-30.

This demand has been explained in the Memorandum, a copy of which has been circulated to each member of this House. It is the result of a Civil Court decision.

Srijut NAGENDRA NATH SEN: Sir, I beg to move that the demand of Rs. 4,500 under the head "20.—Interest on other obligations" be reduced by Rs. 333-2-11 (to raise a discussion on the policy of Government in regard to Revenue settlement of estates and Diara estates).

My object in moving this motion is to have a discussion on the policy of Government regarding the assessment and re-assessment of revenue-paying estates ——

The Hon'ble Sir PROVASH CHUNDER MITTER: May I rise on a point of order, Sir? The policy underlying the assessment of land revenue has nothing to do with this demand. This is merely a sum of money required to meet the demand of a Civil Court decree, which was obtained by a zamindar against the Secretary of State. The Secretary of State has to pay the amount with interest. As the Secretary of State has got to pay interest, the Accountant-General has ruled that this demand has to come under this head. We are not discussing now the demand for land revenue. That has already been passed. If my friend refers to land revenue matters, I submit he is out of order. He may refer to other matters.

Mr. PRESIDENT: Before I pronounce my decision with regard to the point which you have raised, I should like to know if you have gone through the reasons given by the mover for putting forward the token cut motion under discussion.

The Hon'ble Sir PROVASH CHUNDER MITTER: Yes, Sir, I have seen the point he wants to discuss. But I think he is under a misapprehension, as it has nothing to do with land revenue.

Mr. PRESIDENT: I think that the member has not yet said anything to which exception may be taken, even if one judged his remarks from your point of view. If the reasons of which notice was

given by the member raised any doubt in your mind as to the correctness of his attitude, you should have taken exception to the motion itself. I think that I should give the member an opportunity to go on with his speech, and if at any stage you find him straying from his point, you may draw my attention to it.

The Hon'ble Sir PROVASH CHUNDER MITTER: May I, Sir, submit one point for your consideration? The reason given by him is all right; it was only when he started saying that he wanted to criticise the land revenue policy of Government, that I rose on my point of order, and drew your attention to it.

Mr. PRESIDENT: That might have been merely introductory. Let us see how he develops his point.

Srijut NAGENDRA NATH SEN: Sir, my object in moving this motion is to draw the attention of this House to the way in which the people of Bengal are being mulcted of their hard-earned money by having to pay interest needlessly, simply on account of the short-sighted policy of Government with regard to the assessment of land revenue after settlement operations. Sir, it is common knowledge that when an estate has to be assessed for revenue purposes, the revenue officers of Government set upon the proprietors of that estate just like a pack of wolves on a flock of sheep. They know very well that if they failed to increase the revenue of Government by assessing enhanced rates, they have no prospects of promotion in their service. The principle on which promotions are given to revenue officers is the same as that on which promotions are given to judicial and executive officers. The principle seems to be: "No increase in assessment, no promotion." I submit that this is solely due to the absence of any definite policy on the part of Government with regard to the assessment of land revenue, when the time for re-settlement comes. If Government had adopted an uniform policy of assessment for land revenue, then less hardship would have ensued on occasions of re-settlement. Every one who has any knowledge of re-assessment of land revenue knows how land revenues are enhanced, say from Rs. 1,400 to Rs. 35,000 a year, i.e., from very small amounts to very large ones. In this particular case, I submit that if Government had laid down a definite policy to be followed by the revenue officers—and if they had been instructed to do so—then they would have assessed the correct land revenue. Owing to the absence of any settled policy of Government, the revenue officers in this particular case thought that the interests of the State, as well as their own interest would best be served if they enhanced the land revenue———

Mr. PRESIDENT: Order, order. The time-limit for the discussion of this demand for grant has been reached. All I could gather from the last speech of the last day of this session, is that Mr. Sen's real intention was to add another 5 minutes to the 1½ hours which the Council devoted to the question of land revenue the other day. (Laughter).

The motion of Srijut Nagendra Nath Sen was then put and lost.

The motion that a sum of Rs. 4,500 be granted for expenditure under the head "20.—Interest on other obligations" in 1929-30 was then put and agreed to.

Prorogation.

Mr. PRESIDENT: I have it in command from His Excellency the Governor to announce that the Bengal Legislative Council stands prorogued.

B. G. Press—1929-30—76D—1,200.

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